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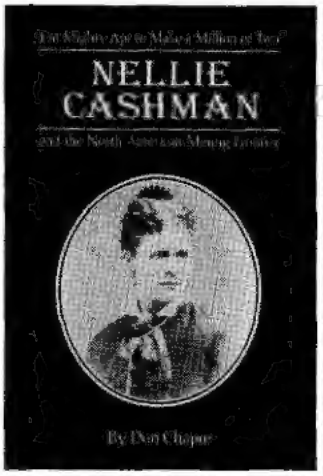
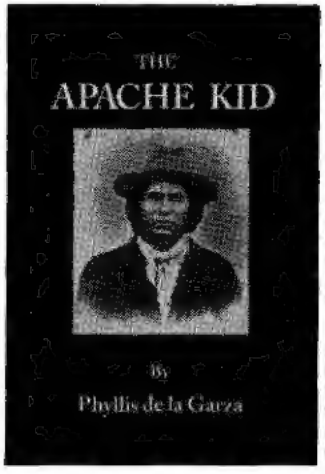


NELLIE CASHMAN and the North American Mining Frontier

By Don Chaput

If a Hall of Fame is ever built to the mining stampeders of the American West, Nellie Cashman would get top billing. Forced to leave the Ireland they loved during the Famine, the Cashmans quickly took to the ways of the New World. After some years in Boston and San Francisco, Nellie chose the mining camps of Nevada and British Columbia for her first restaurant, hotels, and mining ventures. She then spent more than a decade in the mining centers of Tombstone, Bisbee, Nogales, Kingston, and other Southwest boom towns. By the late 1890s, Nellie Cashman had been in boom and bust in a dozen frontier communities. Yet, this was just the beginning of her quest for riches. In 1898 she was off to the Klondike, where she operated restaurants and placer mined. She then headed into the Koyukuk River basin of Alaska, north of the Arctic Circle, where she mined until her death in 1925.

Most accounts of Nellie have emphasized her compassion and dedication towards helping her fellow man. Yet, her acts of mercy and attitudes of consideration have tended to disguise what she really was, a tough, aggressive prospector and miner, willing to compete with anyone, in any place, for the golden and silver harvest. Drawing upon court cases, tax records, newspaper accounts, and mining literature, author Chaput interprets the volatile, ever-changing life of this frontier stampeder. His use of the voluminous Cashman Papers held by the Sisters of St. Ann in Victoria, British Columbia, stalwart friends of Nellie for fifty years, make this book the most detailed and accurate study yet written on the life of this remarkable woman. This beautifully composed book is designed in 5½" x 8½" hard cover format. 200 pp., 38 photos and maps, notes, bibliography, and index. Dust jacket in color. Edition limited to 1500 copies. **Price: $26.95**



THE APACHE KID

By Phyllis de la Garza

Apart from Cochise and Geronimo, perhaps no other Apache gained more notoriety in Arizona history than Apache Kid. Unfortunately, few writers thought enough about him to try telling the whole story. The name "Apache Kid" fired up literary imaginations from San Francisco to New York, and, always, Kid was the villain. But unlike Cochise and Geronimo, who have been turned into some sort of heroes, Kid seems destined to remain a shadowy figure of the Old West.

Apache Kid learned white man's ways, spoke passable English, and admired both military and civilian authorities he tried so hard to emulate. Unlike Cochise and Geronimo, Kid worked as a scout, risking his life for the sake of conformity in the white man's world. And unlike Cochise and Geronimo, when he did go on the warpath he outfoxed everybody who set a trap for him. His ultimate fate to this day remains a mystery.

The culmination of six years of research through court documents, military records, archival collections, and territorial newspapers, this book brings to light the real circumstances surrounding much of Kid's career. Oddly enough, the truth about Apache Kid is far more interesting than any fictional story could ever be.

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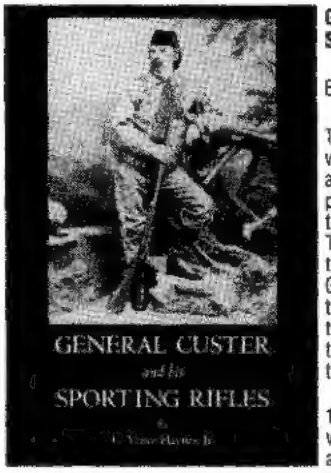

GENERAL CUSTER AND HIS SPORTING RIFLES

By C. Vance Haynes, Jr.

The end of the Civil War brought on a new wave of westward expansion and government attention turned once again to the "Indian problem" as railroads were extended across the plains and toward the Rocky Mountains. The newly formed 7th Regiment of Cavalry and the "boy general," Brevet Major General George Armstrong Custer, were ordered west to join the Hancock Expedition of 1867. The troopers were armed with Spencer carbines, the first repeating shoulder arms adopted by the U.S. Army.

It was the prerogative of officers during the 1870s to carry non-regulation arms if they so wished. While some officers carried regulation arms, some opted to carry rifles that had been customized to increase accuracy and effectiveness according to individual preference. These were commonly referred to as sporting rifles, because, in addition to military operations, they were used for hunting to improve their fare over that provided by army rations. George Armstrong Custer had at least three sporting rifles during his Western campaigns, only one of which is known to have survived, a model 1866 Springfield rifle.

This is not only the story of the rediscovery of this particular rifle, but also of Custer's use of sporting rifles, both Springfield and Remington models, during the "Royal Buffalo Hunt," the Yellowstone Expedition of 1873, the Black Hills Expedition of 1874, and at the Little Big Horn in 1876. Besides discussing the attributes and modifications of Custer's rifles, Dr. Haynes speculates as to the ultimate fate of the General's Remington.

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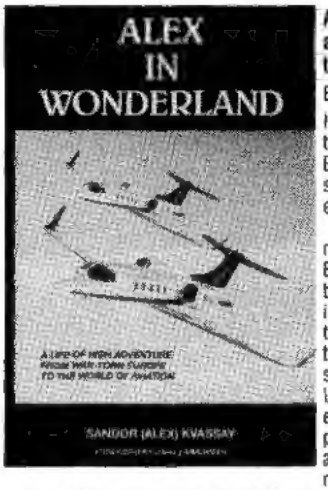

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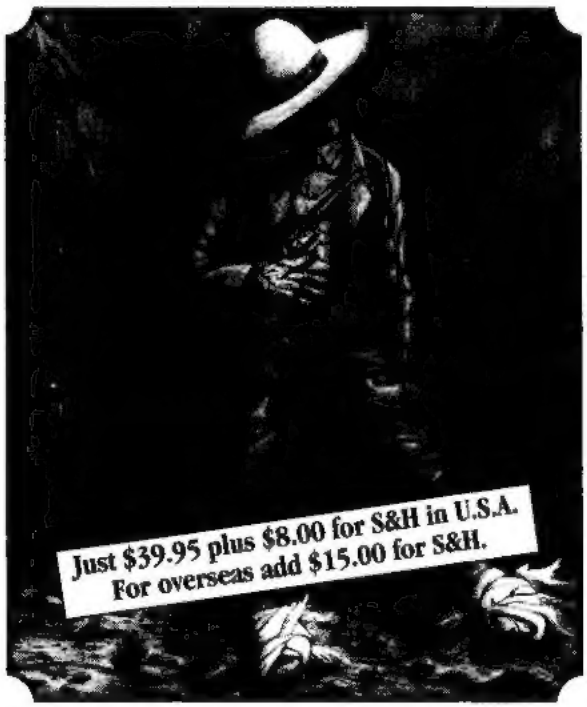

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"I've seen a photo of John Ringo's grave site in the Chiricahua Mountains. The headstone has the date of his death as July 13, 1882. After reading Mr. Hickey's manuscript, I respectfully suggest that maybe, just maybe, the headstone should be changed."

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Saguaro cactus in Arizona's Kofa Wildlife Refuge. Photograph by Richard Cummins.

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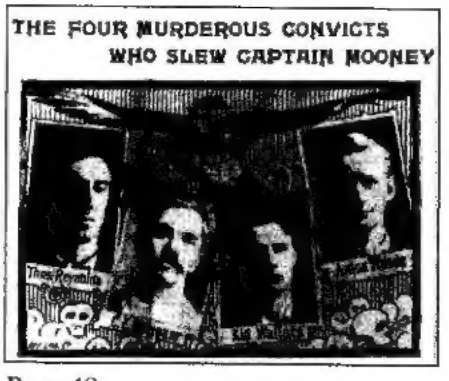

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From the Editor

Howdy, folks!

Once a year the jailer unlocks my leg irons and lets me away from my desk for a week to attend the Western Writers of America's annual confabulation. As I write this, I've just returned from this year's gathering, which happened to be in El Paso, Texas. Aside from the fact that I ate too well and too much, as evidenced by the blacksmith's having to let out my shackles a size when I was recaptured, my most noteworthy news is that the Old West was alive and well in Texas and New Mexico.

Some two hundred writers of nonfiction books and articles, novels, short stories, and screen plays gathered to discuss the western reading market, swap yarns, dispute facts, eat and drink together, and mostly to share their love of the West. Among them was my good friend, Leon Metz, who happened to be the convention host, tour guide, and jack-of-all trades. I was going to throw in "one-person Chamber of Commerce," but he lost that job to Rosa Guerrero, whose high-energy performance of dance, song, humor, and common sense brought down the house.

At any rate, Leon led walking tours of downtown El Paso and of Lincoln and Mesilla, New Mexico. Whether he was describing John Selman's murder of John Wesley Hardin, Selman's own death at the hands of George Scarborough, the shooting of John Tunstall, the bloody ambush of William Brady, Lincoln's Five-Day War, or Billy the Kid's escape from the Lincoln County jail, Leon brought the area's history to life as only a gifted historian can.

Take, for instance, his description of Sheriff Brady's death. Leon noted that people usually think of the ambush as a matter of the Regulators opening up on Brady's party, killing Brady and Deputy George Hindman, "Bang, bang, bang, and that was it." In fact, Leon said, it was a sanguinary mess, with Brady and Hindman lying in a pool of blood. Roughly paraphrased, "There was blood everywhere, and every dog in two miles smelled the blood and came barking and running. The dogs were lapping at the blood and men were kicking at the dogs, trying to keep them away from the bodies." That's an image not soon forgotten.

Add another two hundred or so talented western writers to Leon, and you'll see why I can't help but be encouraged about the future for those of us who love to read about the West. The number of books and magazines on the racks may not be as high as it was twenty years ago, but the quality is getting better all the time.

If you like concrete evidence of the Old West's continued appeal, an independent television production company taped the annual Spur Awards banquet honoring the past year's best western writing. The awards were presented by none other than Dale Robertson, and the TV folks were confident that one of the major cable networks would air the show.

Or if you like numbers, a yearly highlight of the convention is the authors' autograph party and book sale. The writers make themselves available to sign their books at a local bookstore. Western readers came out in force this year, buying more than 1,600 books—approximately doubling the sales at last year's event, which newspapers had reported as a "world record" book signing.

So if you've heard the talk about the demise of western writing, take heart. Western wordsmiths might be neglected by the critics, but they're writing is as good as anyone's, and their readers are the most loyal in the world.

John Joerschke

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CASSIDY DESERVED NEW TRIAL

For years I've been curious about Butch Cassidy's 1894 conviction for stealing a five-dollar horse in Fremont County, Wyoming ("Five-Dollar Horse and Frustrated Sheriff," *True West*, August 1995). Since my day job is editing law books, I finally dug into the case and the early Wyoming criminal statutes to learn the basis of Cassidy's conviction.

According to the court documents, Butch and his partner, Al Hainer, were charged with "Grand Larceny." That means they were charged under Section 4984 of the Revised Statutes of Wyoming, which at the time read, "Whoever feloniously steals, takes and carries, leads or drives away the personal goods of another of the value of twenty-five dollars or upwards, is guilty of grand larceny, and shall be imprisoned in the penitentiary not more than ten years."

Note that this statute requires the property to be worth twenty-five dollars or more. The jury found the horse worth only five dollars.

However, Wyoming had another statute, Section 4988, entitled "Stealing Live Stock," which read, "Whoever steals any horse, mule, or neat cattle, of the value of five dollars or upwards; or receives buys or conceals any such horse, mule or neat cattle which shall have been stolen, knowing the same to have been stolen, shall be imprisoned in the penitentiary not more than ten years, or may be imprisoned in the county jail not more than six months."

The written verdict stated that the jury found Butch "guilty of horse stealing" and found the value of the property to be "$5.00." According to the facts of the case, however, Butch

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did not steal the horse. As author Jean Mathisen says, the witnesses testified that Butch had purchased the stolen horse from one Joseph Nutcher. Thus, it appears that Butch was charged under Section 4984 (Grand Larceny—twenty-five dollars or more) but legally could have been convicted only under Section 4988 (Stealing Live Stock—five dollars or more). On its face, the conviction was illegal, and Butch would have been entitled to a new trial.—*Richard Patterson, Indianapolis, Indiana.*

Outlaw Band(age)

Ray John de Aragon's letter to the editor in the April 1995 *True West* points out what might be a ring on the little finger in his tintype of an individual he believes is Billy the Kid. I suppose by now a thousand old cowboys have set you right. It is, indeed, a ring. Anyone who ever throwed a loop over a critter can see what happened.

The fellow in the picture was a cowboy who earned his living working cows—honest or dishonest, right-handed or left- makes no difference. He could have ripped some hide off on barbed wire, but I prefer to think he tossed his lasso over a free thinker and got about three feet of hemp pulled through his fist. Those old hemp ropes cut like a chainsaw.

Now comes the ring. After sucking on the wound a few minutes, the cowboy takes three or four cigarette papers and applies them like a modern man uses a plastic bandage strip. In a week or ten days, his finger is good as new.—*Richard A. Jones, Fair Grove, Missouri.*

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THE RIORDAN MANSION

BY JANET WEBB FARNSWORTH

When you walk into the Riordan Mansion State Historic Park in Flagstaff, Arizona, you feel like the Riordan family are at home and at any moment might pop around a corner to catch you snooping though their house. The immense, 13,000-square-foot home belonged to brothers Tim and Michael Riordan, who left an imprint on northern Arizona history as large as their home.

Tim and Michael came to Flagstaff to work for their brother Matt Riordan in his lumbermill and brought industry and culture to an area still considered the Wild West.

Tim and Michael quickly became Flagstaff's most eligible bachelors. Then sisters Caroline and Elizabeth Metz went to Flagstaff for a visit and ended up marrying the two Riordan brothers.

Arizona State Parks

The archway that serves as front entrance to the Riordan Mansion. Carved from local volcanic rock, the archway features a Hopi ceramic Katsina tile for good luck.

The Riordans were unusually progressive and successful businessmen, and in 1904 they built a house worthy of their social standing. For its site, they chose a grassy hillock called Kinlichi Knoll (Navajo for "red hill").

Arizona State Parks

The Riordan Family, left to right, Michael (studying to be a priest at the time), Nell Riordan Ketchum, their sister who remained back East, Dennis Matthew (Matt), and Timothy.

Charles Whittlesey, the architect for the famous El Tovar Hotel at the Grand Canyon, designed the Riordan home in American Arts and Crafts style. Tim believed the automobile was the coming means of transportation, so he commissioned a six-car garage. The builders were not so sure of the automobile's future and installed rein rings for horses, just in case the new contraption did not catch on.

The two lumber barons built one large home for both families. The 13,000 square foot house took nine months and $90,000 to build. It consisted of two identical 5000 square-foot wings connected by a large billiard hall and ballroom. Looking like an immense log cabin, the outside has rough log-slab siding made from the first cut of the logs from their mill and hand-split wooden shingles.

At a time when most "bathrooms"

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were outhouses, the Riordan Mansion had seven "indoor necessaries," forty rooms, eight fireplaces, and two coal furnaces. Even the servants had their own bathroom.

Today, the Riordan Mansion belongs to the Arizona State Park system, and tour guide Billy Och brings Riordan history to life as he leads you through Tim's wing. Mike's wing will be restored and opened to the public when funds become available.

The connecting billiard room was used by both families as a recreation room. At one end stands a large, elaborately carved billiard table, and a volcanic rock fireplace, ringed cozily with chairs, tells of the Riordans' love of entertaining. Visitors included such a diverse lot as President Teddy Roosevelt, Buffalo Bill Cody, and Grand Canyon explorer John Wesley Powell.

POWELL'S EXPEDITION photographer John (Jack) Hiller's work is one of the highlights of the billiard room. His photos, not negatives, make up the window panes. Over a hundred years old, these rare scenes of northern Arizona are priceless.

Tim's Irish blarney is evident in the enormous wooden baby shoes he kept sitting by the fireplace to prove to his doubting audience that he really did know Paul Bunyan.

Times weren't always happy in the billiard room. In 1921, Michael's side of the house caught fire. Men from the mill placed explosives against the wall in the billiard room, ready to blow the center section to save Tim's side of the house. Fortunately, the wind was blowing away from the house and the firemen saved the home.

The saddest time for both Riordan families happened in 1921 when Arthur, Michael's oldest son, and Anna, Tim's youngest daughter, died within a few hours of each other from polio. Because the disease was contagious, a joint funeral was held in the billiard room with only the family and priest in attendance.

Everything in the house, from the cookbook in the kitchen to the

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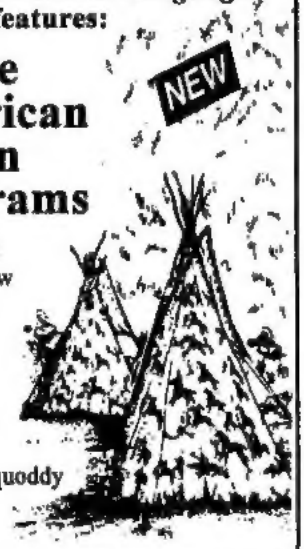

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Arizona State Parks

Panes of Tiffany glass form the top borders of many windows throughout the mansion.

dresses upstairs, actually belonged to the Riordans and the home reflects the family's style. It is a showcase of antiques and Craftsman-style furniture, many pieces by famous furniture maker Gustav Stickley. Some of the window panes are Tiffany glass—blue on one wing and green on the other. The home is surprisingly luxurious for turn-of-the-century northern Arizona.

Outside, a self-guided walking tour shows the Riordans' Irish heritage in the "Fairy Circle" and the fountain with animal images carved into volcanic rock. A Hopi ceramic Katsina tile under the stone archway for good luck and totem faces carved on the ends of protruding logs tell of Michael's interest in Native American culture.

A trip through the historic Riordan Mansion proves elegant living did exist in the Wild West, tucked safely away among the pines on Kinlichi Knoll in Flagstaff, Arizona.

The Riordan Mansion State Park, 1300 Riordan Ranch Street, in Flagstaff, is open from May through September from 8:00 A.M. to 5:00 P.M. (with guided tours from 9:00 A.M. to 4:00 P.M. hourly). From October to April the mansion is open from 11:00 A.M. to 5:00 P.M. Tour space is limited so call for reservations if possible. The first floor of the mansion is wheel chair accessible. For more information call (520) 779-4395.

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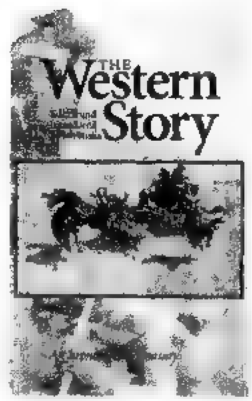

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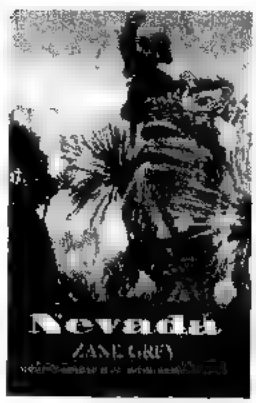

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APACHES MASSACRED

By Bill O'Neal

150 Years Ago

October 13. 1845; Texas. Voters across the Republic of Texas approved annexation to the United States and ratified the new state constitution by a vote of 4,254 to 257 and 4,174 to 312, respectively.

Fall, 1845; Galeana, Mexico. James Kirker was born in Ireland in 1793 but migrated to the United States at the age of sixteen to avoid British conscription in the Napoleonic Wars. He moved to St. Louis in 1817, and five years later joined the famous fur trading expedition led by General William Ashley and Major Andrew Henry.

Working as a trapper, trader, and miner in New Mexico and in Chihuahua, Mexico, Kirker began to lead forays against Apache raiders, and in 1842 the governor of Chihuahua offered him a large bounty for Apache scalps. In 1843 Kirker and his men killed and scalped 225 men, women, and children. When Apaches renewed their raiding in the fall of 1845, the new governor of Chihuahua offered Kirker $200 per scalp to reassemble his militia of New Mexicans.

Kirker allegedly lured Apaches into the town of Galeana with promises of a parley and whiskey. When the slaughter broke out, the citizens of Galeana reportedly killed many Indians themselves. Some 160 Apache men, women, and children were slain, and scalps were draped around a Chihuahua church in celebration.

125 Years Ago

October 5, 1870; Little Wichita River, Texas. Captain W. A. Rafferty and Company M of the Sixth Cavalry found and routed a band of Comanches on the Little Wichita. Rafferty saw that five of his men received the Medal of Honor for "gallantry in pursuit of and fight with Indians": Sergeant Michael Welch, Corporal Samuel Bowden, Corporal Daniel Keating, and Privates James Anderson and Benjamin Wilson.

October 7, 1870; Elizabethtown, New Mexico. In September 1870 an area rancher, Charles Kennedy, was arrested for shooting a man while the victim slept on Christmas Day, 1869. Kennedy also was suspected of other murders, and about eleven o'clock on the night of October 7 a lynch mob jumped his two guards. The mob took Kennedy from the log cabin where he was incarcerated, then hanged him from a rafter of an old slaughterhouse just outside Elizabethtown.

A coroner's jury ruled that Kennedy was hanged by unknown parties, and an editorial observed, "There is a general feeling of satisfaction that he is at last beyond the power of doing further harm." It was strongly rumored that the mob was led by Clay Allison who, in one of his notorious rages, supposedly decapitated Kennedy, and jammed the head onto a pole outside a saloon.

October 23, 1870; near Abilene, Kansas. Andrew McConnell was a native of Massachusetts who homesteaded a quarter-section eight miles outside Abilene, Kansas. On Sunday afternoon, October 23, McConnell returned to his crude dugout, having spent the day hunting deer. He found a neighbor, John Shea, driving a herd of cattle across his land. The two men exchanged words, and Shea whipped out a revolver. Shea's gun snapped twice ineffectively, but he cocked the hammer for a third try. At that moment McConnell shouldered his rifle and shot Shea in the heart.

McConnell went for a doctor and surrendered to the authorities, but Shea already was dead. Subsequent testimony by Moses Miles, a friend of McConnell's, won the prisoner an immediate release. Within the month, however, growing public opinion questioned Miles' testimony, and further killing would result.

100 Years Ago

October 28, 1895; Denver, Colorado. F. G. Bonfils and Harry H. Tammen purchased the *Denver Evening Post* for $12,500. More than one-fourth of Colorado's 400,000 population lived in Denver, and the capital city would double in size within little more than a decade. As the flagship newspaper of this burgeoning metropolis, the renamed *Denver Post* soon became the most influential journal in the western heartland.

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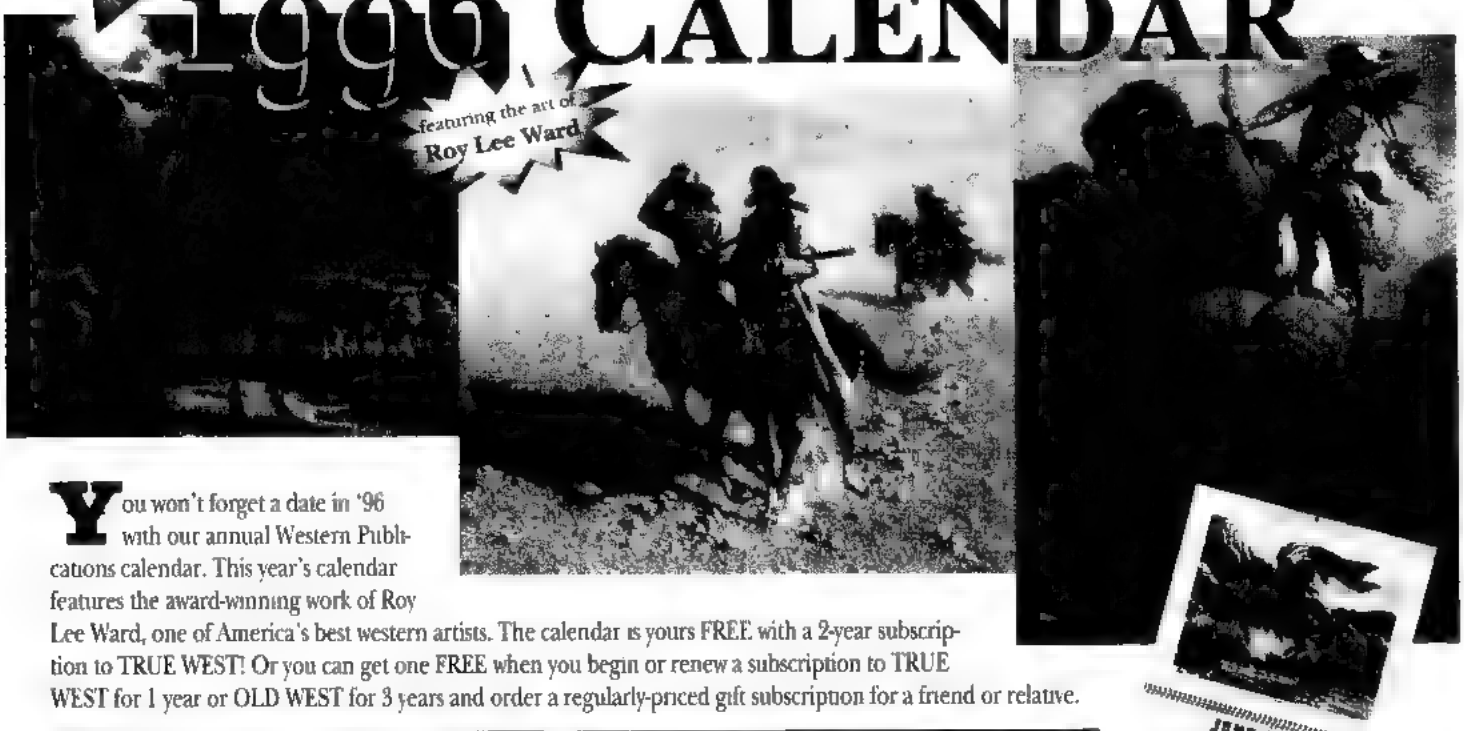

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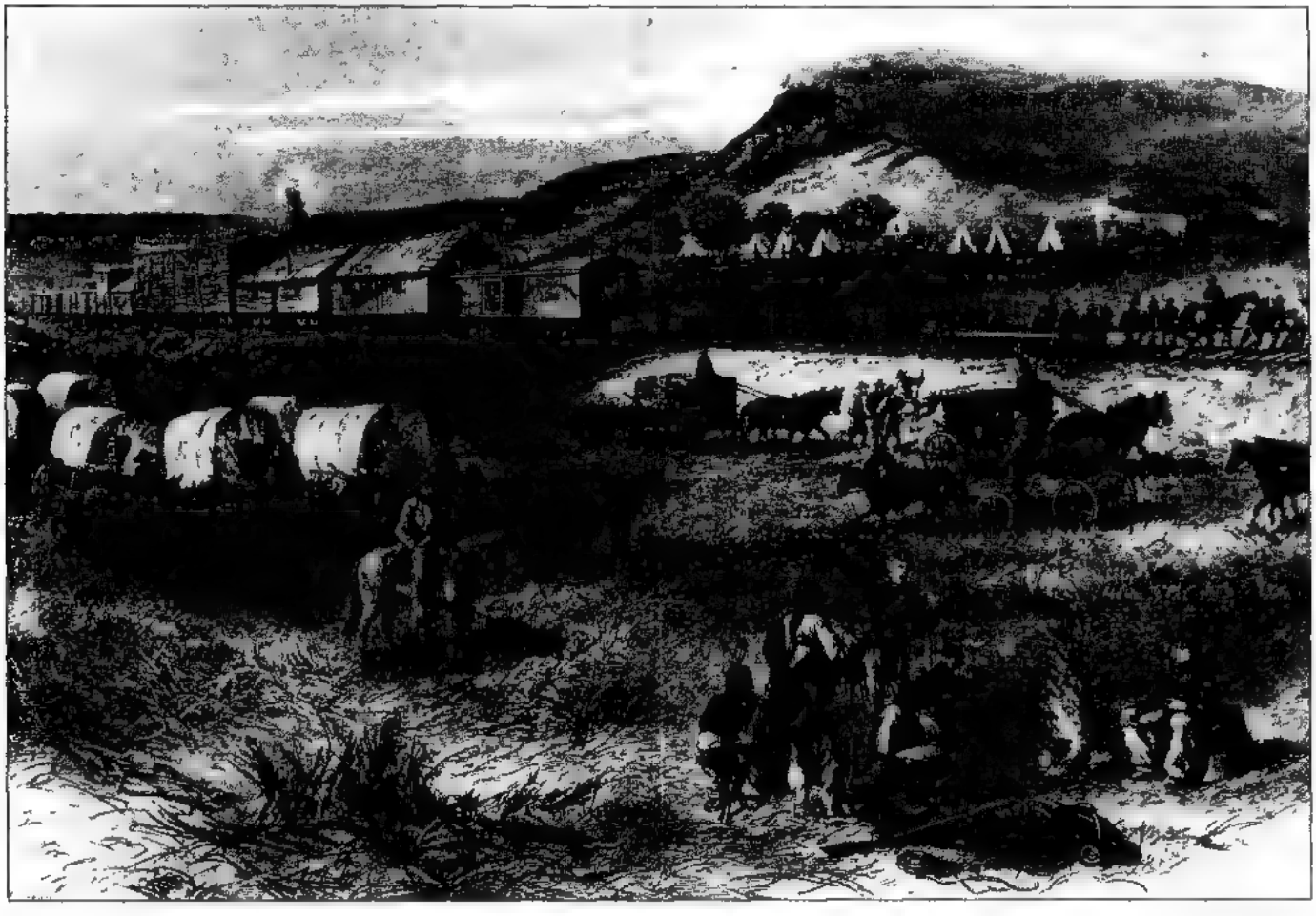
BRINGING THE

By MURRAY

When the Union Pacific Railroad started building west from Omaha, it carried with it a self-contained town. Part of that town was planned: the supplies and equipment to house, feed, and outfit the work crews; the supplies and equipment to build the roadbed and lay the track; and the weapons to protect the crews from attacks by hostile Indians. As soon as construction moved beyond the more settled areas of Nebraska, however, the town acquired a new neighborhood, one the railroad officials had not planned for and did not welcome. Portable saloons, honky-tonk dance halls, gambling parlors, and prostitute's cribs sprang up at every end-of-track settlement. Usually they were well-established before the rails even reached the townsite. Two-bit grifters, gamblers, rotgut peddlers, prostitutes, bunco artists, pickpockets, garroters, and toughs, all the scum of the frontier, came to fleece the roistering, free-spending Irishmen and ex-soldiers who were laying the steel.

Each end-of-track town in its turn became a "hell-on-wheels." They included Columbus and North Platte, Nebraska, and Julesburg, Colorado



Author's Collection

Casement Brothers' track laying crews moving across Wyoming The crews lived in the multi-storied railroad cars

DES THE RAILS AW TO LARAMIE

L. CARROLL

Author's Collection

"The Big Tent" was set up in every town from North Platte, Nebraska, to Corinne, Utah Territory. With an orchestra, dance floor, women, booze, and every gambling device known to man, it was the premiere "hell-on-wheels" establishment.

Territory, which claimed the dubious honor of being called "the wickedest city in America." Rowdy and wild as they were, except for North Platte, the towns managed to survive without vigilance committees. Nor did North Platte's committee execute anyone, managing instead to do its job by simply threatening to hang the worst troublemakers and booting the others out of town.

Early in 1867, General Grenville Dodge, chief engineer for the railroad, chose the site for the next major town, Cheyenne, Dakota Territory. Cheyenne was to be a major supply base as well as a permanent headquarters for a railroad operating division. It also was designated as the end-of-track for the winter of 1867–1868. At the same time, General Christopher C. Augur, commander of the Department of the Platte, established Fort D.A. Russell three miles north of the town.

Cheyenne was a long way from Yankton, the capital of Dakota Territory. As far as the authorities in Yankton were concerned, Cheyenne was a problem they did not want or need. Even more than the other end-of-track towns, it became a real hell-on-wheels. As one newspaperman wrote, "When Julesburg died, its stinking carcass was thrown into Cheyenne to add to the pestilential atmosphere."

Cheyenne started with a government organized under a charter from Dakota Territory and ordinances borrowed from Denver. Troops from nearby Fort D.A.

The Laramie Plains Museum

Laramie, Wyoming, the "Gem City of the Plains" in 1868, right after the Union Pacific tracks were laid into town.

Russell, under Colonel and Brevet Brigadier General J.D. Stevenson, also helped keep order. Still, before the winter was over, the legitimate authority, even with help from the army, could not keep order. The more responsible citizens took matters into their own hands, and a vigilance committee was organized. According to James Chisholm, correspondent for the *Chicago Tribune*, the saying in Cheyenne was, "It's a sign of good times when people begin to do a little hanging."

The vigilantes hanged at least four and possibly five men in Cheyenne, and three more at Dale City, a settlement about thirty miles west of Cheyenne at the site of Dale Creek bridge. Several other men and women were given polite but firm warnings to leave town or suffer the consequences.

In the spring of 1868, construction resumed. From Cheyenne the rails pushed on to Sherman, on the crest of the Laramie Mountains—the highest point on the entire transcontinental rail line. The rails then crossed the thirteen, forty-foot-long spans of Dale Creek bridge, 125 feet above the valley. Constructed in thirty days, it was the most spectacular bridge on the Union Pacific. The rail-laying crews came into Laramie on May 9, 1868, and the first train carrying passengers and freight arrived the following day.

Before the winter was over, the legitimate authority, even with help from the army, could not keep order. The more responsible citizens took matters into their own hands, and a vigilance committee was organized. According to James Chisholm, correspondent for the Chicago Tribune, *the saying in Cheyenne was, "It's a sign of good times when people begin to do a little hanging."*

Sam Reed, the railroad's chief surveyor, and his crew platted the town in February and lots went on sale in April. The town site was about two miles north of Fort Sanders, built in 1866 to protect the Denver and Salt Lake Stage Lines, the Overland Stage Lines, and the Lodge Pole Trail from Indian attacks. The post also provided escorts for the railroad's survey and construction crews.

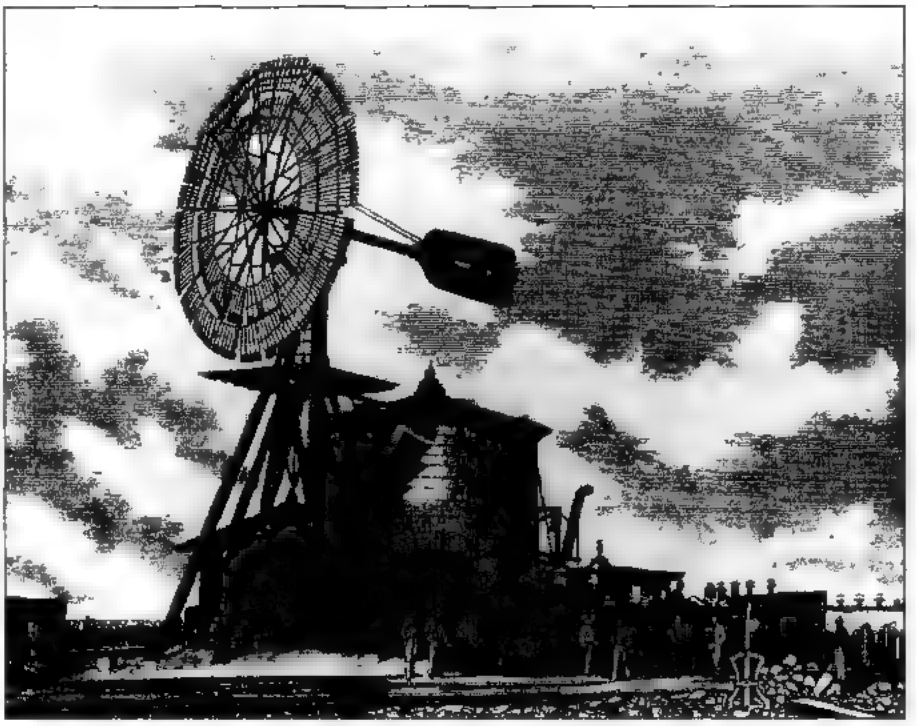
Under the protection of the army, a tent city of some three hundred people spent most of the winter near the expected site of the new town. A few of these "sooners" were reputable merchants anxious to get the best building sites for their businesses. The majority were the advance guard for this new hell-on-wheels. Many of them came from Cheyenne, forced out by the vigilantes.

Within the first week after lots went on sale, four hundred had either been sold or contracted for. When the first train whistled into town on May 10, five hundred buildings of various kinds already awaited it. They contained all the amenities the construction crews had left behind in Cheyenne. Most of the buildings were flimsy structures that could be moved easily or abandoned with little loss if the town did not last. Among the most notable was "The Big Tent," a wood and canvas structure, a hundred feet long and forty feet wide, complete with dance floor, orchestra, a splendid bar, every gambling device known to man, and an ample supply of fallen doves to assist the soldiers from Fort Sanders and the

railroaders in parting with their hard-earned money.

Townspeople tried to form a government. A group of interested citizens met in the Tivoli saloon on May 1 to select candidates for the various offices. The next day voters elected a mayor, trustees, a town marshal, and other officials. Melville C. Brown, a lawyer, became Laramie's first mayor. Three weeks later, the *Frontier Index* published his letter of resignation. In it he said the town was ungovernable. The other officials quickly followed suit. They had no real legal authority to form a government at the time since Dakota Territory had not issued the town a charter.

Laramie had another problem. It was platted by the Union Pacific on a section ostensibly included in its land grant. That section also happened to be part of the land set aside for the Fort Sanders reserva-



From *Frank Leslie's Illustrated Newspaper*

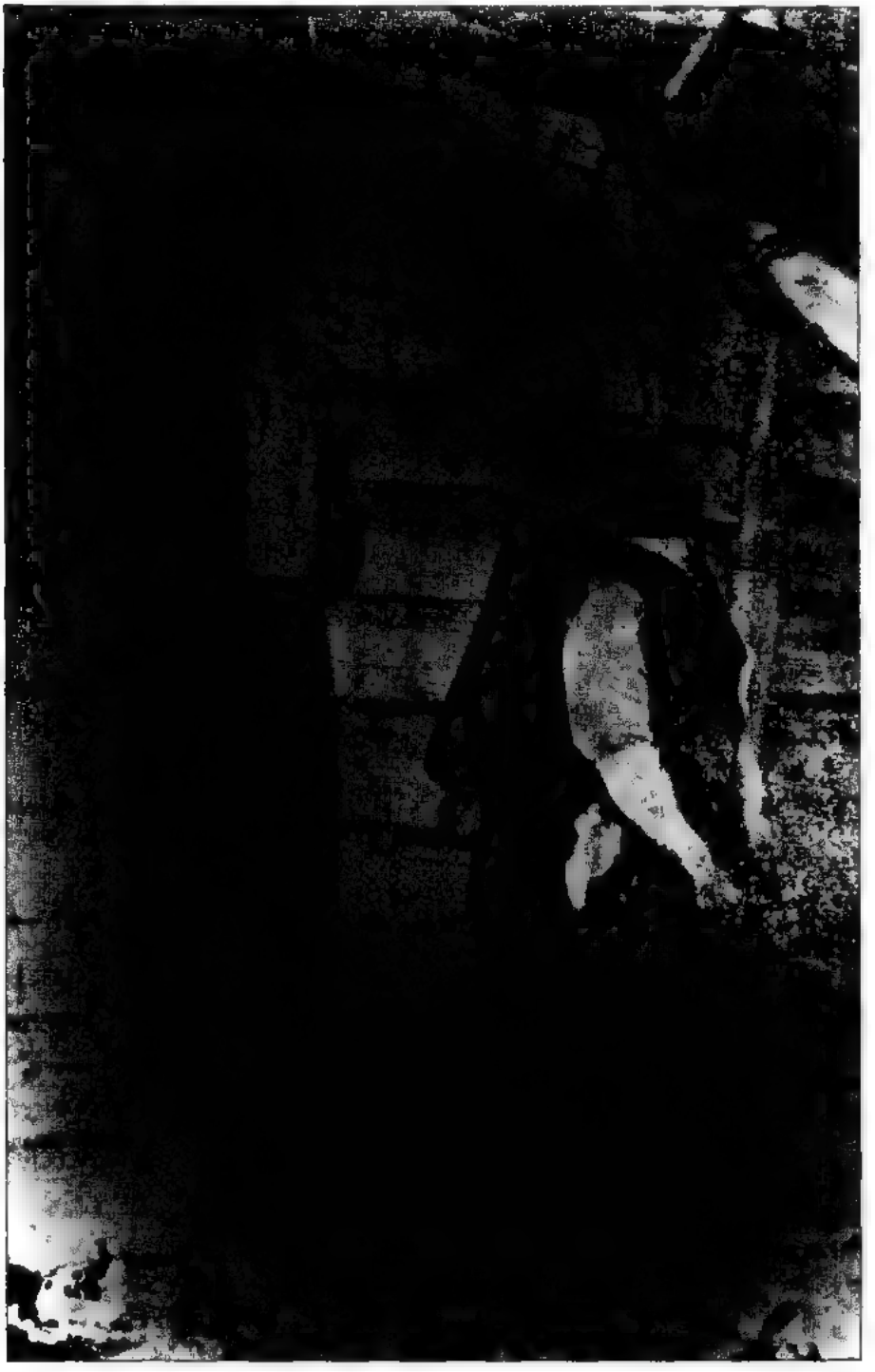
The Union Pacific's shops and roundhouse were the first stone buildings built in Laramie. The railroad planned on Laramie's being a permanent settlement.

The Laramie Plains Museum

The Keystone Hall dance floor in Laramie. It was a typical "hell-on wheels" establishment.

tion. The post commander, Colonel and Brevet Major General John Gibbon, made it quite clear that he did not recognize the town's right to exist. The issue went unresolved for five years until the size of the military reservation was reduced.

The next city government was self-appointed. Asa Moore, proprietor of Diana's and the Belle of the West saloons, assumed the mayoral mantle, and Sanford O.S. Duggan became town marshal. Duggan had excellent credentials for the post. While working as a detective for the government in Cheyenne, he shot and killed John Morley, a young woodcutter. He was tried for first degree murder and acquitted on perjured evidence. He left town at the suggestion of the Cheyenne vigilantes. Before becoming a federal detective, probably for the Secret Service, he was convicted of murder in Blackhawk, Colorado, and escaped from prison. He also was convicted in Denver of pistol-whipping Kitty Wells, a prostitute, who was supporting him. He again escaped.



Author's Collection

Con Weiger, Mayor Asa Moore, and "Big Ed" Bernard, alias Ned Wilson, hanged by the Laramie vigilantes in their sweep of the town on the night of October 18, 1868. All three were shot to death before being hanged.

Duggan's deputy town marshals were Con Weiger; "Big Ed" Bernard, alias Ned Wilson; and "Heartless Ed" Franklin, alias Charles Meyers. Together with Moore they were known as the "Five Bosses." "Long Steve" Young was justice of the peace. Others involved were "Slippery Bill," Dave Mullins, and Morris Cohn. Slippery Bill and Mullins had been on the Cheyenne vigilantes' list. Moore and company did not trouble themselves with legal niceties such as territorial charters or the question of whether the land belonged to the military or the railroad.

Laramie's quasi-government operated out of the back room of the Belle of the West saloon It had the support of the gamblers, pimps, prostitutes, and the other riff-raff because it meant a wide-open town essentially without law.

THE FIRST VIGILANTE committee, a small one consisting of only thirty men, was formed in August. Their only victim was a man known as "The Kid." He was accused of slipping mickeys into drinks, then robbing his quarry. He also was a known armed robber. The vigilantes hanged him from the rafters of a partly-finished shed.

The Kid might not have been the first man lynched in the new town. In 1888 a crew planting trees near downtown Laramie unearthed a casket. It contained the remains of a well-dressed man, six feet tall, with long, wavy, bright auburn hair. The head was severed from the spine. Old-timers, who were in Laramie from the town's beginning, told authorities the remains were those of a pimp and gambler known as "The Magician." They claimed vigilantes had hanged him in May, before the general vigi-

lance activity got underway. They also pointed out the nearby site of the Kid's grave. The tree planters dug up his coffin the next day.

The Kid's execution did not scare Moore and his gang in the least. If anything, they became even more aggressive, more tightly organized, and more threatening to the rest of the citizens. They used their authority to take money from those who did not lose it at their gambling tables, to their pickpockets, or to their girls. The gang would arrest people who looked like they had money and try them in a court set up in the back of the Belle of the West. Sometimes the gang turned the defendants free after their trial. Those who might cause trouble they killed and either buried out on the prairie or dumped into an empty box car. A group of the better citizens set up an impromptu hospital to take care of those who were lucky enough to escape with only a beating.

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In August, Sam Duggan lost his job as town marshal—and came very close to losing his life at the end of a rope even sooner than he finally did. Eighteen-year-old Robert Reed, son of Allen Reed, and another young man were gambling in the Big Tent. Reed claimed he was being cheated and got into a fight with the dealer. Duggan chased the boys out into the street, then shot them in the back, killing Reed and seriously wounding his companion. The wounded youth was lodged in the town jail, a dugout a couple of blocks from the railroad track.

The elder Reed, a Union Pacific construction contractor, went to town to determine the circumstances of his son's death. Reed located the other boy in jail, bleeding badly and without medical attention. He sent for Dr. J.H. Finfrock, the Union Pacific surgeon, to look after him, but the boy succumbed to his wounds.

Inquiring around, Reed discovered that Duggan and Franklin had solicited donations from a couple hundred people to bury Robert and provide medical attention to the other youth. They then pocketed the money they collected. Reed, along with N.K. Boswell of the Rocky Mountain Detective Association, and a crowd of five or six hundred others, many of them bilked contributors, confronted the culprits and angrily decided to lynch them. Melville C. Brown, however, objected to such summary justice and the mob finally compromised. They would force Duggan and Franklin to leave town with the understanding that if they ever returned they would be hanged. The crowd escorted Duggan to Virginia Dale, over the Colorado border, and started him in the direction of Denver. Justice would finally catch up with Duggan in Denver, when he was lynched from a cottonwood tree along the banks of Cherry Creek on December 2, 1868.

The mob had planned a similar treatment for Heartless Ed Franklin. But when they returned to town, he had already left of his own volition—without benefit of their company. Several days later Franklin tried to steal some army mules from Fort Sanders. In a shoot-out with several soldiers, he was slightly wounded. He was captured and placed in irons in the Fort Sanders guardhouse. In spite of the wounds, the chains, and the guards, he escaped and went to Denver. He too met his fate in Colorado. Members of the Rocky Mountain Detective Association shot him to death in Golden on November 22, 1868.

In desperation, a citizens' committee asked Lieutenant Colonel J. H. Potter, who had replaced Colonel Gibbon as post commander at Fort Sanders, to help establish order in town. They expected he would willingly assist them since his soldiers were often victimized when they came into town. But Potter told them that all available soldiers were either engaged in protecting the railroad construction crews or guarding trails. Perhaps Colonel Potter took his lead from General William T. Sherman, commander of the Military Division of the Missouri. Sherman called Laramie a "dirty little town" and wrote to his brother, Senator John Sherman, that he hoped it would soon move on. Its fleshpots, he wrote, disturbed the discipline of the post.

In late September, the citizens began organizing a much larger vigilance committee. Organizers were Tom Sears, a veteran of the California gold camps, a Union veteran, and a legitimate saloon owner; John Wright, a Union veteran and saddle maker; and, N.K. Boswell, seasoned in the Colorado gold camps, veteran of the Second Colorado Volunteer Cavalry, and a member of the Rocky Mountain Detective Association. Melville Brown again objected to the use of vigilante methods of justice, but this time he was overruled.

The committee set a major strike for October 18, 1868, in a secret trial marking six of the worst citizens for execution, and forty others for deportation on an impromptu immigrant train to be set up in the rail yard. The committee organized in three units. Each unit, under the command of an elected leader, was to strike certain locations and capture specific individuals.

At eight that evening, they gathered on the far side of the tracks behind the railroad repair shops, some five hundred strong. When all the vigilante groups were in position, Sears was to fire a shot signaling them to move in on their targets; however, someone fired prematurely, when the only squad yet in place was the one assigned to the

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Belle of the West. For fifteen minutes, the crackle of gunfire mixed with the screams of the girls, the shattering of glass, and the shouts of the men on both sides.

When the shooting died down and some semblance of order was restored, five men lay dead and at least fifteen were wounded, some seriously. One member of the vigilantes, two members of the band, "Willie," a fiddler, and Charles Barton, a cornet player, and one of Asa Moore's toughs were among the dead. Con Weiger and Big Ed Bernard were badly wounded. The committee dragged them out of the saloon and hauled them to the spot where the Kid had been lynched in August.

A disheveled Asa Moore turned up and demanded their release. Sears responded by sticking a shotgun in Moore's stomach and announcing they might as well hang him too, since his name was on the list. The mob agreed and hanged all three together. According to William Owen, who as a nine-year-old boy saw the lynchings, the hanging was unnecessary since they were dead from pistol shots before anyone put a rope around their necks.

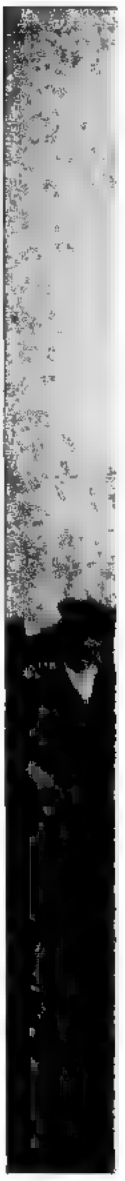
Because of the confusion and the precipitate departure of the "immigrant special," we will never know the exact toll of dead and wounded. Some of those on the train were probably wounded, and some may have died. Mayor Moore's new bride, Diana, about whom the *Frontier Index* had said, "Diana the living Goddess—she can be seen at J.C. Crismans's splendid galleries on Front Street," was one of those who found it convenient to leave Laramie on the train. About 1876, some early residents recognized her when she passed through town with an immigrant wagon train bound for Oregon. She spoke to several whom she recognized, but did not ask what had happened to Moore or where he was buried.

Long Steve Young, who was on the execution list, escaped death that night, hiding out during the excitement. The next morning a party of vigilantes found him at Lawson's ranch, about nine miles from town. They decided to give him a break and settled on running him out of town. He ignored the committee's warning to leave Laramie by 7:30 that morning, vowing that no strangling SOB's were going to run him out of town. True to their word, the vigilantes marched Young to the main railroad crossing by the depot, tied one end of a rope to a telegraph pole and the other around his neck. They then forced him to climb a ladder placed against the pole.

At that point Long Steve had a change of heart and begged his executioners to let him leave town. When that failed, he asked at least to have his boots taken off, but the committee refused even that request. His executioners then pulled the ladder out from under him. One committee member decided Young was not dying quickly enough and gave his legs a jerk. The rope broke, and he fell to the ground. Before the vigilantes could stop him, an old mountaineer, who had been one of Long Steve's victims, kicked him in the head and stomped his face. Committee members finally carried Young back up the ladder and finished the hanging.

None of the participants or witnesses made any effort to disguise themselves. Even the Rev. Joseph W. Cook, the Episcopal minister from Cheyenne, watched the proceedings. Cook later wrote, "It was a gruesome sight, but I guess it was necessary. It tended to quiet things down."

The Laramie vigilante committee tried to reach beyond the town and finish executing those on its list. When a party of Laramie vigilantes went to Cheyenne, however, that city's officials and citizens made it quite clear that they would not tolerate vigilante activity from any source. The Laramie committee did, however, extend westward. At Gilmer they hanged five men, including Dave Mullins and a man named Morris.



"Long Ste

LIKE MOST vigilante committees, the Laramie group outlived its usefulness and was eventually dominated by some of the same people it was intended to control. In December, Tom Sears, now a Laramie County deputy sheriff, arrested a young man by the name of Moritz and lodged him temporarily in the Laramie town jail. A group of vigilantes, led by town marshal Lee P. Griswold took Moritz from the jail to a small log building behind the Frontier Hotel. They tied a rope around his neck, pulled him up to a log over the doorway, and left him to strangle to death. Griswold and his friends were not punished for their crime, but in 1872, Griswold was shot to death trying to escape from the Denver City jail where he was being held on a murder charge.

April 5, 1869, town police officers named Roudapouche and Douglass picked up tie cutters Michael Murphy and George Hayes. Together with some of the town toughs, the officers had worked out a money-making racket. They would jail individuals who appeared to have money, then rob them. In this

Long Steve had a change of heart and begged his executioners to let him leave town. When that failed, he asked at least to have his boots taken off, but the committee refused even that request. His executioners then pulled the ladder out from under him. One committee member decided Young was not dying quickly enough and gave his legs a jerk. The rope broke, and he fell to the ground.

The Laramie Plains Museum

oung hid out from the Laramie vigilantes. He refused their offer to leave town and suffered a bad case of "hemp fever."

case, an earlier confrontation had left bad blood between Douglass and Hayes. Instead of the town jail, Roudapouche and Douglass confined the two prisoners in an unfinished house under the guard of a young man named Irwin, who was not part of the plot.

Roudapouche and Douglass evidently planned to wait until after dark, rob Murphy and Hayes, then hang Hayes. Hayes was forewarned, and when the attack came, he escaped. The erstwhile police killed Irwin and shot Murphy, crippling him for life. Hayes and his fellow tie cutters came back into town looking for Douglass and Roudapouche, and any others they could catch. The tie cutters managed to seize Roudapouche and several of the gang. They decided to hang Roudapouche, Douglass, and some other ringleaders, but at Murphy's and Hayes' request, they relented and ordered them to leave town instead. Some thirty individuals made a hasty departure. Roudapouche was later hanged for murder in Colorado

On July 25, 1868, President Andrew Johnson signed the act separating Wyoming Territory from Dakota, and in May 1869, the new territorial government came into being. In June, the organization of a district court and a county government in Laramie effectively ended the town's era of lawlessness and vigilantism.

Of such rough justice, the famous western historian Herbert Howe Bancroft said, "A true vigilance committee is the expression of power by the people in the absence or impotence of law." That was certainly the case in Laramie. In spite of its raw beginning, the community's period of extralegal violence was relatively short-lived. Once organized government and legitimate and effective law enforcement came into being, the town rapidly developed the same institutions, the same cultures, and the same social values as its counterparts "back in the States." But it never forgot its bloody beginnings.

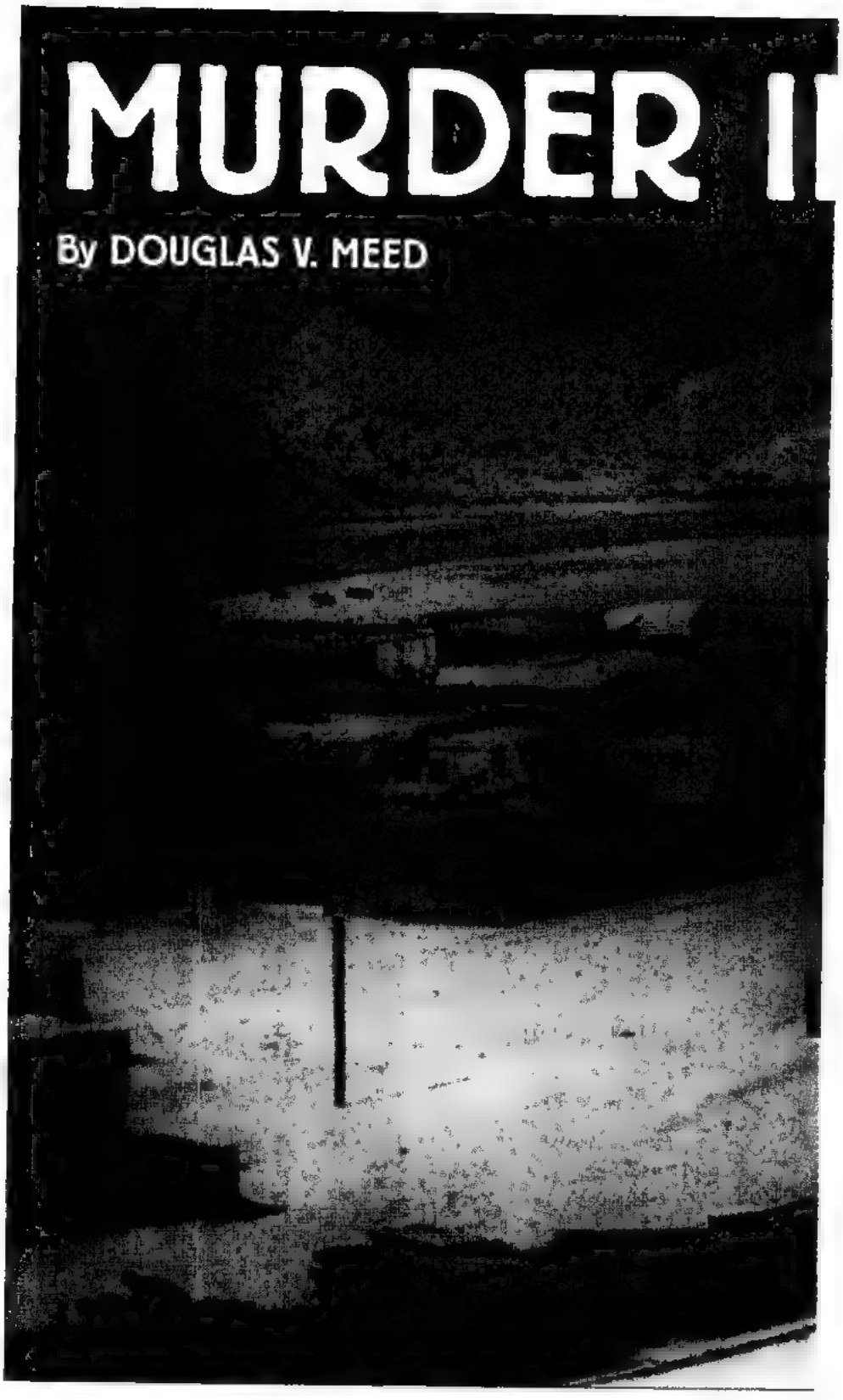
MURDER I

By DOUGLAS V. MEED

During the bloody days of the Mexican Revolution in 1913, the section of El Paso, Texas, known as Smeltertown was infested with cattle and horse thieves, gunrunners, secret agents of Pancho Villa, and agitators of the International Workers of the World, the infamous "Wobblies."

This violent stew exploded on a burning hot afternoon on June 23 when members of the deadly "River Gang" ambushed and shot to death a young Texas Ranger, Scott Russell, and an El Paso deputy sheriff, W.H. Garlick, in one of Smeltertown's dank saloons lining the Rio Grande.

Smeltertown's geography was as twisted as the lives of its denizens. Located at the western corner of El Paso, surrounded by desert and mountains, it stretched along the banks of the Rio Grande where the river snakes between Texas on the east and the states of New Mexico and Chihuahua, Mexico, on the west.



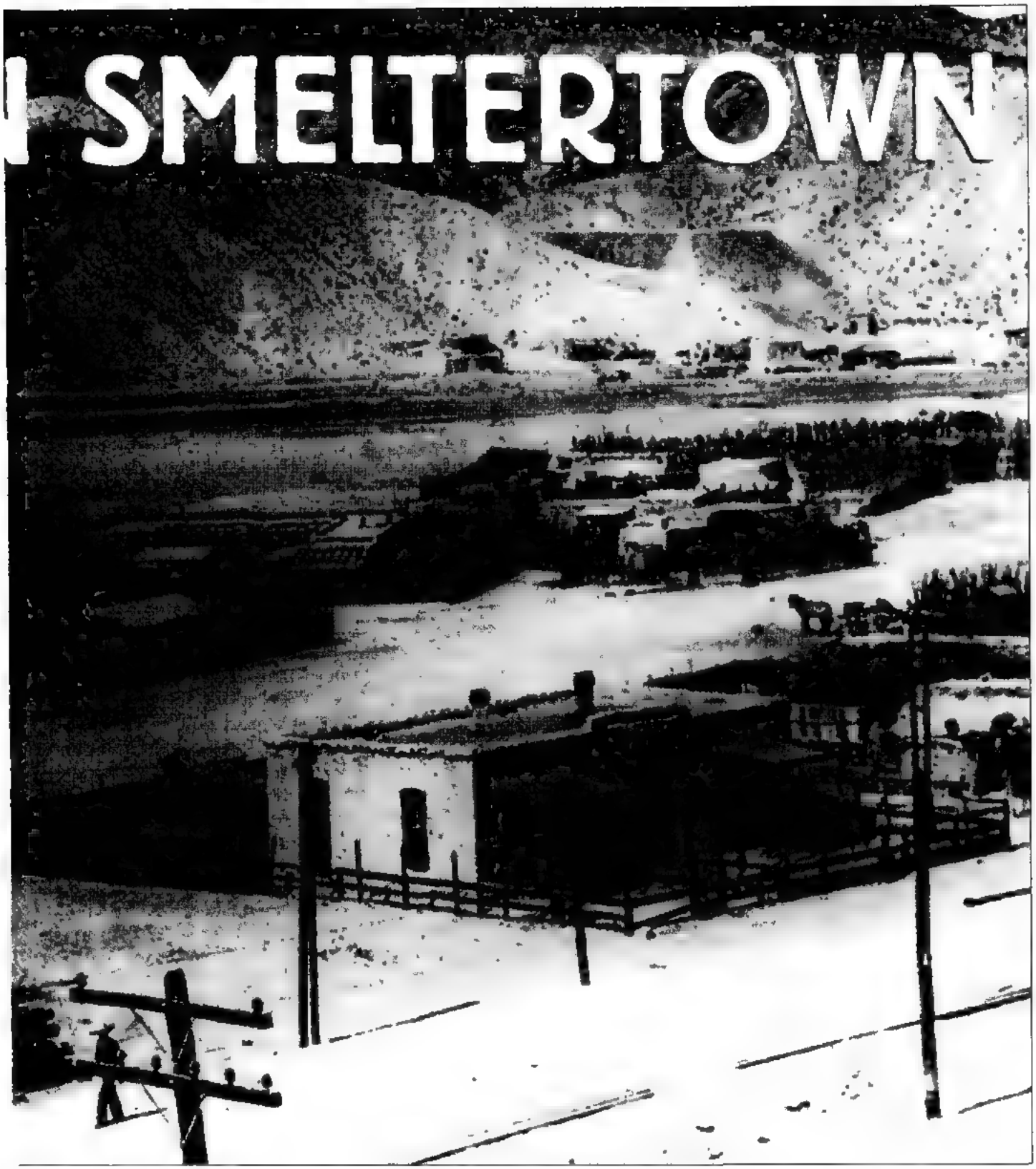
Smeltertown in 1913. Directly across the Rio Grande is the Mexican state of Chihuahu without getting their belt buckles wet.

FOR A HUNDRED YEARS Smeltertown has been haunted by violent death and crippling disease. Named after the massive copper smelter in the vicinity, it has always been a no-man's-land of confused legal jurisdiction where a quick ride across a shallow river enabled a fleeing felon to pass into either another country or another state. The area's twisting rocky hills and gulches made it difficult to determine whether the lethal Mexican Rurales or the equally tough Texas Rangers had shooting rights on fleeing bandidos.

In 1887 a few squatters' huts gave way to scores of more substantial adobe buildings that housed a booming population. The new arrivals came to labor amid the harsh fumes and scalding heat of a new smelter, built by the American Smelting and Refining Company, that turned brown earth into copper bars.

With hundreds of workers, the El Paso smelter became the biggest employer in the area. Soon Smeltertown boasted many small stores supplying the workers and their families as well as dozens of dark saloons dispensing rotgut whiskey and tequila to wash the copper dust from desert-dry throats.

The community drew its drinking, cooking, and washing water from the Rio Grande, which was full of gunk dumped by the smelter upstream. Endemic dysentary plagued



El Paso County Historical Society

cross the river to the right is the state of New Mexico. Except for a few months in the spring, smugglers could wade across the river

those who partook of the muddy current. The mosquitoes, however, liked the river fine, and they infested the area in hungry hordes.

Railroad tracks spanned part of the settlement. The clanking of trains along the rails, the wailing of their mournful whistles during the night, and the billowing coal dust from their puffing steam engines added to the smelter's industrial pounding and groaning. Strains of

guitar music drifting from the saloons in the evening provided a welcome respite from the smelter's clamor and the bark of an occasional gunshot. For if the hard hquor dulled senses it also released murderous inhibitions that added wooden crosses to the cemetery on a bluff a few hundred yards from the houses.

If things got too boring, there was always a possibility of being flooded by the unpredictable Rio Grande, whose churning waters could rush down the dusty, unpaved streets, grinding adobe homes into lumps of muddy debris.

In 1910, hard-looking men infiltrated the community as Mexican political exiles. Soon to become revolutionaries, they slipped back and forth amid the three borders. Sometimes they smuggled incendiary pamphlets crying out for revolt against the dictatorship of Porfirio Diaz; at other times they packed guns and ammunition.

By April 1911, the Mexican Revolution was in full fury. Rebel leader Francisco Madero established his headquarters directly across the river from Smeltertown. His revolutionary army consisted of 1,500 hardened guerrilla fighters under Pascual Orozco, a handful of bandits commanded by Pancho Villa, and a ragtag bunch of American freebooters and gunrunners.

In May Madero attacked El Paso's neighboring city of Juarez, Mexico. The rebels and federals both waged a hard, murderous battle. Smeltertown residents sat on top of idle boxcars, cheering the rebels on to victory, like a bloody version of the World Series. Some of the fighters, however, were not amused; they shot seventeen onlookers before Smeltertown fans abandoned their box seats.

During the three-day fight, wounded Mexicans waded or were carried across the river to Smeltertown, where volunteer American doctors and nurses tended the casualties from both sides.

The capture of Juarez signaled the completion of the first phase of the Mexican Revolution; the conflict, however, was not over. Disenchanted with the Madero government, Pascual Orozco continued the struggle—this time against the federal army and Pancho Villa's forces. In June 1912 Orozco's forces were finally defeated. Madero himself was overthrown and murdered in February 1913 by the usurper Victoriano Huerta. Pancho Villa continued the revolutionary struggle against General Huerta's government.

By the Spring of 1913, Villa was leading a new rebel army and threatening to attack Juarez again. Panicked federal troops began digging trenches on the outskirts of the city. With Mexico practically in anarchy, all semblance of law enforcement disappeared. Amid the turmoil, rustlers and smugglers traversed the Rio Grande with impunity.

Local newspapers labeled the most notorious criminal band the "River Gang" and hinted their leaders were thirty-five-year-old Juan Guadarrama and his four brothers. The gang's headquarters was a combination store and saloon in Smeltertown. Mrs. Mariana Guadarrama, the boys' portly, gray-haired, fifty-five-year-old mother, and Juan's fiery young wife, Maria, ran the establishment.

ARRESTED ON cattle and horse theft charges as early as 1906, the brothers and their associated pistoleros had always evaded conviction. Local historians believed the gang had "protection" in high places on both sides of the river. And while rustling was only a sideline; the big money was in Winchester carbines, Springfield rifles, and thousands of rounds of ammunition, slipped across the winding borders to the highest bidders. The arms trade needed capital, and the more prosperous merchants in El Paso were high on the list of suspects who funded the illegal arms trade.

The situation in Smeltertown took an ominous turn in the spring of 1913 when hundreds of workers in the giant smelter went out on strike in disgust over low pay and dangerous working conditions. With the threat of violence in the air, the company built a high fence topped with barbed wire around the smelter and employed local gunslingers to police the property. If the animosity between the owners and workers were not enough, labor organizers from both the Western Federation of Miners and the "Wobblies" of the International Workers of the World were having an acrimonious spat

Terry McCollister

The author in front of the Smeltertown Cemetery on a bluff above the community. It functioned as the area's Boot Hill.

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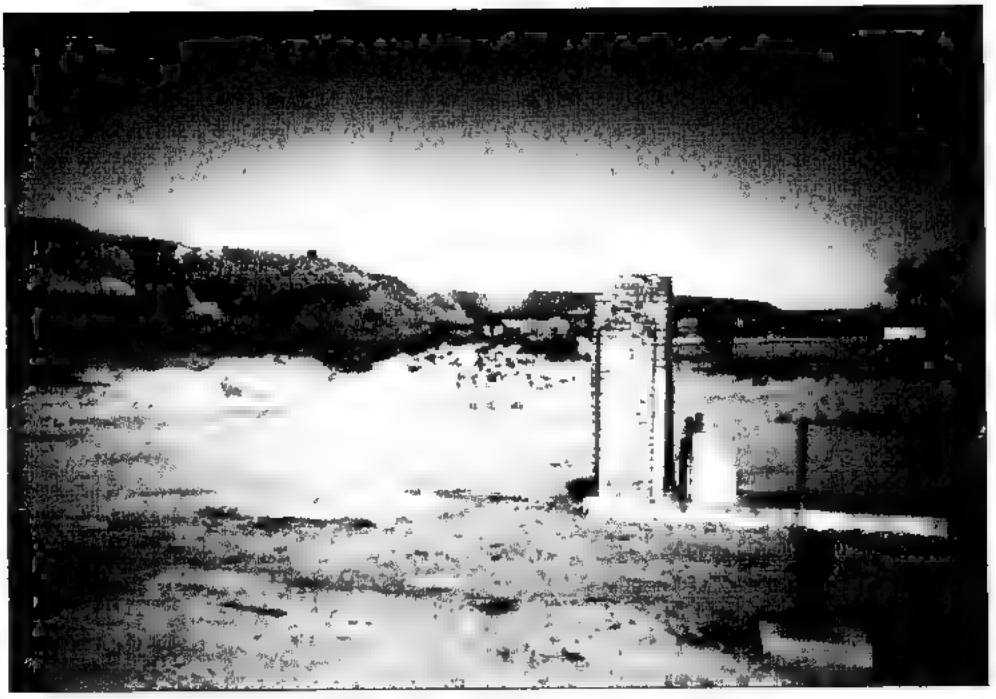
over who should represent the smelter workers.

By May, tempers were hotter than the ninety-degree weather and fists and bottles flew as heated arguments turned into riots. When local police could not handle the melees, the town called on famed Texas Ranger Captain John R. "Boss" Hughes, commanding Company A a few miles downriver at Ysleta. Among the Rangers Hughes sent was new recruit Scott Russell, a tall, lanky, twenty-five-year-old farm boy.



Author's Collection

Smeltertown as it is today. The area was completely bulldozed over in 1973 when children were found to be suffering from high concentrations of lead

THROWN INTO the middle of a smelter workers' riot, Scott had to pull his .45 caliber Colt and shoot one of the rioting workers in the foot. It ended the melee but engendered the hatred of many workers. Young Scott became a marked man in Smeltertown

Also on the River Gang's hit list was Deputy W.H. Garlick, a heavy set, mustachioed, veteran police officer. Garlick had recently testified against one of the Guadarrama boys in a preliminary hearing on a cattle theft charge. Also, back in January, he and two Texas Rangers had intercepted a band of Mexican smugglers along the Texas side of the Rio Grande. In the ensuing gunfight Garlick reportedly killed two of the smugglers, one a captain in Pancho Villa's army.

Both officers were warned they were marked for death. Ranger Russell told friends he feared being shot in the back as he patrolled the streets of the river community.

Undeterred by the threats, however, Garlick and Russell walked into the Guadarrama bar on the morning of June 23. They apparently exchanged unpleasant words with Juan, then left the bar and continued patrolling their beat in Smeltertown.

Shortly after two o'clock that afternoon they returned to the bar with a warrant to arrest Manuel Guadarrama for disturbing the peace. As they entered the bar they spotted Manuel's brothers, Juan, Jesus, David, and Alonzo, loitering in the store attached to the bar. Maria was behind the bar and they heard Mother Mariana humming in a back room.

Looking around, young Russell asked Juan to sell him two packages of Bull Durham tobacco. Juan tossed the two sacks onto the counter and Russell laid down two nickels, then rolled a cigarette and tucked it into his mouth. What happened next is a matter of dispute.

In a report dated June 24, 1913, Captain Hughes of the Texas Rangers wrote Texas Adjutant General Henry Hutchings that while the two lawmen were in the bar, "Mrs. Guadarrama, mother of Juan, struck Ranger Russell in the back of the head with an axe handle and stunned him. Juan shot Russell as he fell, then shot Deputy Sheriff Garlick, killing both.

"Then he pulled down the window curtains and beat them both with a hatchet....We have plenty of evidence that the killing was planned several days ahead."

Missing from Hughes' report was the fact that Mother Guadarrama was shot in the stomach during the melee

The first reliable witness on the scene was Sergeant J.H. Sirks of Troop C, Thirteenth Cavalry, whose squad was patrolling the river area near the store. Sirks had been in the bar for a quick drink only a few moments before. Hearing the blast of six-guns, Sirks slipped the safety off his Springfield, hollered to his men to follow, and dashed back into the saloon. Flinging open the swinging door, Sirks covered the startled occupants with his rifle and surveyed a bloody scene.

Mother Guadarrama lay in the center of the floor, clutching a bleeding stomach and groaning. Ranger Russell lay near a side door, his sightless eyes staring at the ceiling. A newly rolled cigarette still stuck in the corner of his mouth. Deputy Garlick lay in the front of the store. A .45 caliber bullet had punched through the warrant in Garlick's shirt pocket and penetrated his chest, killing him instantly An autopsy showed that the hatchet blows to the heads of both men were unnecessary. They were already quite dead.

Juan Guadarrama told Sergeant Sirks he shot both men during an argument. "Garlick," he claimed,

"pulled his gun first and shot my mother."

Within minutes a swarm of El Paso lawmen arrived on the scene. Mother Guadarrama was carried into a back room, where she was laid on a pile of blankets until an ambulance rushed her to a local hospital. When the police checked the bodies of their slain colleagues, their gunbelts, holsters, and .45 caliber Colts were missing. A twelve-year-old boy, Francisco Alonzo, later swore that, after tending her dying mother-in-law, Juan's spitfire of a wife, Maria, had hidden the two gunbelts under her voluminous, if bloody, skirts. Although authorities conducted a massive search, they never found the weapons.

That evening at 5:45 Mother Guadarrama died in a local hospital. The attending physician, Dr. L.G. Witherspoon, said that severe powder burns indicated she had been shot at point-blank range.

Juan, three of his brothers, and his wife, Maria, were quickly indicted for the murders and held for trial in Judge Dan W. Jackson's Thirty-fourth District Court. Surprisingly, El Paso's highly respected mayor, Tom Lea represented the River Gang during the trial. Strange, some thought, that a leader of the city's business establishment would defend a band of well known outlaws.

After a series of delays the trial finally began in January 1914. Some of El Paso's more distinguished citizens made up the blue-ribbon jury. More peculiar, while the news of the murders had made their front pages, both local newspapers relegated the trial to the back.

The trial itself was a mass of contradictions, the Guadarramas claiming self-defense and the prosecution charging ambush and murder. During the proceedings a bloody hatchet, with a tuft of black curly hair still clinging to it, was produced, but for some unknown reason was never introduced into evidence.

Juan Guadarrama, taking the stand in his own defense, made the trial's most controversial statements. He testified that he shot Deputy Garlick only after the lawman drew his gun, shot his mother, and fired two shots at him.

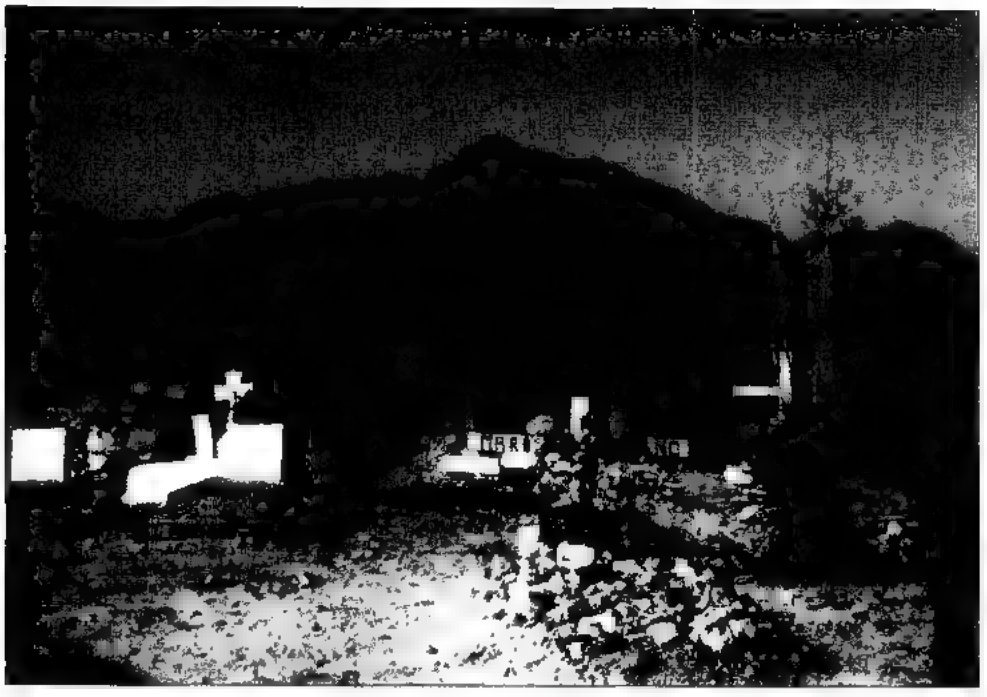
The boy, Francisco Alonzo, who was in the store at the time testified for the prosecution. He claimed he saw Mama Mariana holding an ax handle behind her skirt. She sneaked behind one of the officers and struck him on the head. Then, the boy testified, Juan started shooting and suddenly cried, "Oh my God, I've shot my mother." But under cross-examination, the boy burst into tears, admitting that Texas Rangers had coached his testimony.

As to the alleged shots fired at Juan, investigators initially found no bullet holes in the store. After the trial commenced, however, two city police officers made another belated search and claimed they found bullet holes in the floor and in a potato bin in the store. Since Russell's and Garlick's pistols were never found, it was impossible to know whether the officers had fired them.

JUAN TESTIFIED that Sergeant Sirks had stolen the weapons. In later testimony he said a mysterious man named Manuel Gonzalez had shot Ranger Russell, stolen their weapons, and fled across the Rio Grande. Sitting his horse on the Mexican side of the river, the man waved the weapons defiantly and then rode off. Another witness, Manuel Ochoa, also named Gonzales as the man who stole the officers' weapons.

Juan also testified that after the lawmen's first appearance at the saloon that morning, he had called the sheriff's office asking for protection from the two lawmen that he said were threatening him. The prosecution, however, produced the sheriff's office clerk, who denied receiving any such request.

The trial ended at 5:00 p.m. Thursday, January 22, and the jury was left to sort out the thoroughly confusing evidence. Early Friday morning the foreman reported to the judge that they were hopelessly deadlocked and could not reach a decision. The judge quickly declared a mistrial. Some courthouse obser-



Author's Collection

Smeltertown Cemetery Across the Rio Grande and at the foot of the Juarez Mountains, the revolutionary leader Francisco Madero set up his headquarters before attacking Juarez.

vers opined that the blue ribbon jury had deadlocked in an unusually short time.

The second trial did not take place until June 1915, and then under the jurisdiction of a new judge, W.D. Howe. Again Mayor Tom Lea put on a masterful defense. If the first trial had been a mass of contradictions, the second was even worse. Witnesses changed stories, and one was even cited for perjury. All the facts were in conflict, and Sergeant Sirks, a key prosecution witness, was now out of the army and could not be found. Strangely, the defense called some of the local police as witnesses—not a usual practice when two law officers had been brutally killed.

The most poignant scene during the trial was the presence of the young widow of Deputy Garlick. She sat in the front row on one side of the courtroom, cradling her month-old baby in her arms. On the other side of the courtroom, also in the front row, sat Juan's wife, Maria. She was cradling her month-old baby in her arms.

Author's Collection

Smeltertown Cemetery with the smokestacks of the present ASARCO smelter in the background.

AFTER BOTH sides rested their case, Judge Howe directed verdicts of not guilty for Maria and Manuel. The jury, again made up of leading citizens, found Jesus and David not guilty but convicted Juan of murder in the second degree. The judge gave him a sentence of five years.

Juan's light sentence was most unusual, according to local historians. At that time in Texas, the killing of a local police officer and a Texas Ranger usually would have resulted in a quick trial, followed by a new rope and a six-foot drop for the defendants, particularly when the jury was composed of prominent businessmen. Could it be, the skeptics asked, that the River Gang knew too much about the businessmen's links to gunrunning and smuggling and bought the acquittals and light sentence with their silence? The truth will never be known.

As the wild days of the Mexican Revolution drew to an end in 1928, Smeltertown settled down to a more quiet existence as just another working class neighborhood; however, a considerable number of illnesses continued to afflict the community, particularly among children.

In the 1970s a United States Communicable Disease Control Study confirmed the existence of high levels of lead concentrations in the blood of many children living in Smeltertown. The study alleged it was the result of smelter operations in the area. On January 1, 1973, the area was condemned. All 120 families were moved out and Smeltertown was bulldozed into rubble.

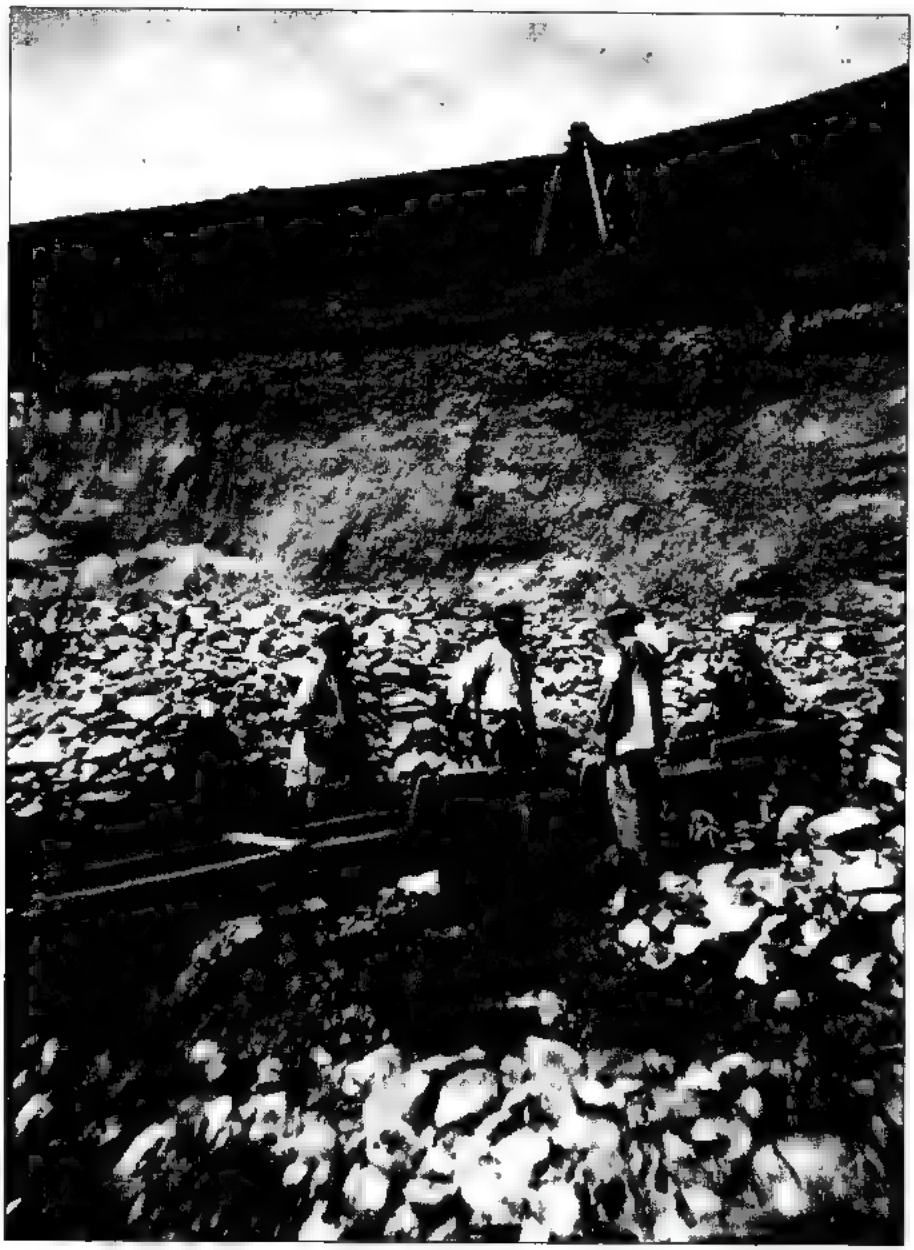
One of the older of Smeltertown's displaced people was heard to murmur, "Perhaps this was a curse of the dead lawmen. *¿Quien sabe?*"

THE ALDER GULCH

BY GEORG

Like their white counterparts, Chinese miners followed gold's lure from played out fields in Idaho and Oregon and California to Montana's booming camps. Many just crossed the Continental Divide into what is now Montana when gold was discovered in Bannack and Alder Gulch.

In 1863 three white prospectors, Bill Fairweather, Henry Edgar, and Barney Hughes were returning from a foray in the Yellowstone Valley near what is now Bozeman, Montana. They had luckily escaped a hunting party of Crow Indians with their scalps but little else. When they decided to stop and pan for enough "color" to buy some tobacco after they returned to Bannack, their luck got even better. Their first pan showed $2.40 worth of gold, plenty for tobacco and then some in 1863.



Montana Historical Society, Helena

W H Jackson photographed these Chinese miners working a sluice box in Alder Gulch, circa 1870.

From 1864 to 1869, miners would extract more than $30 million worth of gold from Alder Gulch near what was to grow into the mining boom town of Virginia City, Montana. Hydraulic and dredge mining for gold continued in Alder Gulch at a less dramatic pace until after the turn of the century. At least six separate companies there employed as many as 500 Chinese miners at one time.

Chinese miners usually worked and lived in close-knit groups to rework the placer claims left behind by white miners who had moved on to richer stakes. In fact, the presence of large numbers of Chinese miners usually indicated that whites considered a place played out or its slim pickings unworthy of their efforts.

Still, Chinese miners eked out a living, extracting ore from such areas after the whites gave up—as evidenced by the fact that they shipped millions of dollars worth of gold back to China. Also, many of the Chinese miners who worked the goldfields had time and gold dust enough to gamble, buy property, open businesses, or return to China with a stake.

White miners worked claims looking for a bonanza, the gold nugget the size of a fist that would instantly transform them from mucker to millionaire. The Chinese approach, however, focused on the small but steady returns of hard work and

SIX COMPANY WAR

VERETT

organization, so they were willing to accept less spectacular results over a longer time.

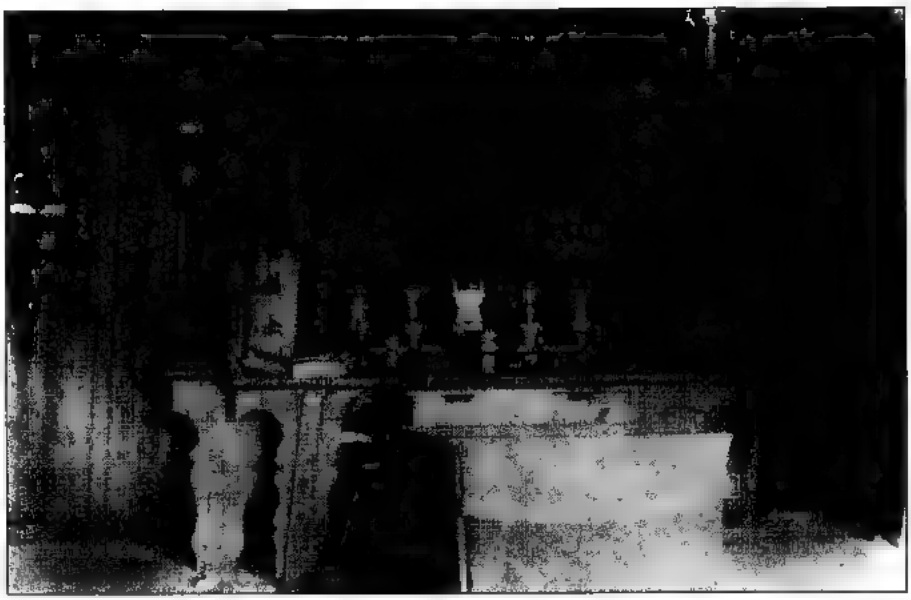
Chinese even mined for gold in their laundries in Virginia City. They would work the water left over after doing washing for the white miners, capturing gold dust that clung to the miners' shirts and pants.

One record tells of an enterprising Chinese contractor who bid for the rights to tear down an old saloon and then washed the lumber for the gold dust hidden over the years in the cracks between the floorboards.

The Chinese built and occupied a Chinatown on the edge of Virginia City. At its center stood a two-story joss house which served as the community's religious center. The joss house was also the meeting place for the Chinese Masonic fraternity, which established rules of conduct for its members. A banner in the temple listed rules governing everyday conduct. They included, "Do not occupy by force the property of your brethren," "Do not deceive your brethren by fast talking," and "Do not bully your brethren with your might." The rules also defined how to handle weddings and funerals. They were designed to maintain order and to control the Chinese miners' behavior in their own communities as well as among the larger white society.

Some of the Chinese miners would have fared better had they paid more heed to the rules in their Virginia City joss house. When a dispute arose among the six different companies of Chinese miners who worked the Alder Gulch placer deposits, factions quickly formed with two companies on one side and four on the other.

On February 28, 1881, the simmering feud erupted into gunplay



Montana Historical Society, Helena

The Chinese miners' Virginia City temple was both the spiritual and cultural center of their community.

over a piece of coveted property. The Four Company faction had been negotiating for the lease to work the claim when the Two Company faction occupied and started working the property.

According to eyewitness testimony for the prosecution at the first trial, Ah Sue was shoveling tailings from a wooden flume when two men from an opposing company, Ah Wah and Ah Yen, approached him. A quarrel ensued when the two men demanded that Ah Sue stop removing rocks from the flume. After about ten minutes of heated argument, Ah Wah pulled a knife and settled the matter by planting the blade in Ah Sue's side. Mortally wounded, Ah Sue managed to run a short distance before collapsing. Ah Yen finished the work with several shovel blows to Ah Sue's head.

As Ah Wah and Ah Yen continued down the gulch, they chased and killed another Chinese miner, Ah Long, about three quarters of a mile down the flume.

The Two Companies mounted a spirited defense of the property against the Four Companies and soon bullets flew. The gun battle was noisy but painless; more than 100 shots failed to tally a single casualty. When ammunition grew scarce and the combatants realized their impotence with firearms, they took up more familiar weapons—pitchforks, hatchets, shovels, and sharpened pikes. Another account recalls that the Four Company attackers also employed smudgepots, gongs, and masks to overrun the Two Company combatants' position.

After forming a posse to help quell the bloodshed, Sheriff M.D. Platner filled his jail with forty of the combatants and, upon investigating, charged two members of the Four company side—Ah Wah and Ah Yen—with the murders of Ah Sue and Ah Long.

At the trial in March, the Chinese witnesses took their oaths by swearing on the blood of a freshly killed rooster pulled from crates in the nearby jailyard. Interpreters had made it clear to the authorities that the Bible carried little water with Buddhist witnesses. One contemporary noted wryly that the town's diet during the trial consisted largely of chicken pie.

Only a few years had passed since Virginia City's famous vigilantes had taken the law into their own hands, hanging their allegedly corrupt sheriff, Henry Plummer, and several of the gang of road agents he supposedly led. So, the fact that Ah Wah and Ah Yen's jury deliberated at all was inventive. When one juror, Michael Hatfield, became ill, the remaining eleven jurors did not wait for him to recover but proceeded to find both Ah Wah and Ah Yen guilty of murder.

If it was innovative that vigilantes with ropes did not settle so weighty a legal matter in Virginia City, it was even more original that Montana Territory's legal system defended the rights of Chinese immigrants. The defense appealed because the verdict had been rendered by a jury of eleven, and the territorial supreme court reversed the conviction. The justice who wrote the court's opinion, Chief Justice Decius Spear Wade, argued that it would set a dangerous precedent to convict a man for a capital crime with a jury of fewer than twelve jurors, even if the accused was Chinese and not a citizen of the United States. He argued persuasively that if a verdict from eleven could stand, then why not a verdict of eight or three? A verdict would not hold if it was not delivered by a jury of twelve as called for by law; therefore, the verdict in this case was invalid.

A new trial was scheduled for the next year. Meanwhile county voters elected a new sheriff, district court judge, and prosecuting attorney, all of whom were unfamiliar with the defendants and the details of the case.

When the new trial commenced, the defense counsel, Judge Henry M. Blake, rose to address the court. "Your honor, this is a trial for murder. If the defendants are adjudged guilty they may suffer the extreme penalty of the law. The rule of law is that when a man is on trial for his life, he must be present. Otherwise the proceedings will not stand."

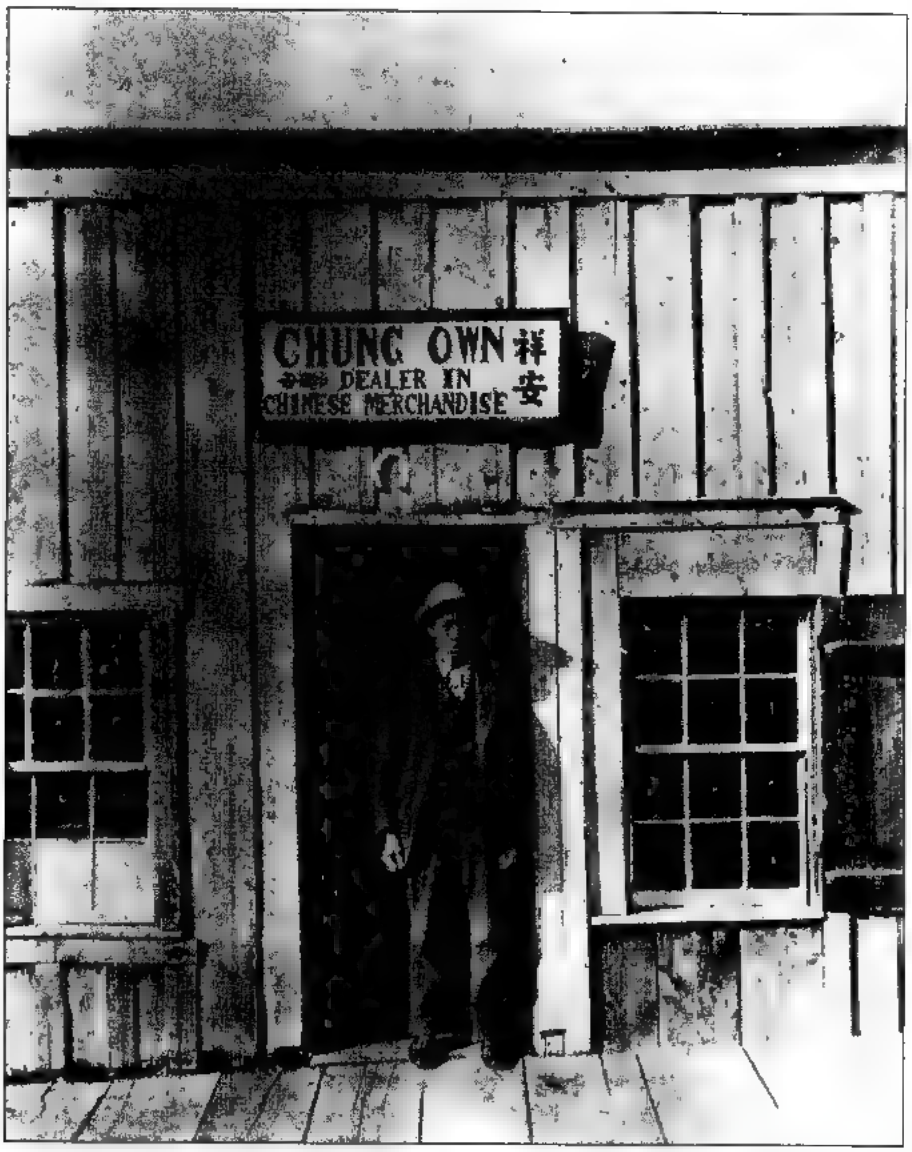
The judge asked, "Are these prisoners not the defendants Ah Wah and Ah Yen, who are charged with murder?"

The defense replied, "They are not our clients."

The prosecuting attorney, unfamiliar with the defendants, was not sure. "Your honor," he said, "all Chinamen look alike to me. If these men are not the defendants I do not know who they are ."

Through interpreters, the court soon verified that the prisoners were not the original defendants, Ah Wah and Ah Yen. In the time between the two trials, the warring factions had settled their differences and agreed to rescue Ah Wah and Ah Yen from hanging. Visits from friends were frequent and Chinese came and went freely to the jail. On one of those visits, two Chinese men had traded clothes and exchanged places with Ah Wah and Ah Yen. When the officers of the court could neither prove nor disprove the prisoners' identities, they were released.

Ah Wah and Ah Yen, of course, were never seen again.



Montana Historical Society, Helena

The demand for Chinese goods in Virginia City around 1900 remained high enough to support this store on the north side of Wallace Street.

BOOKMART

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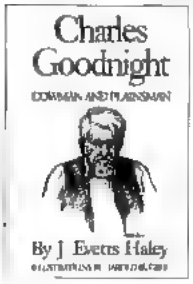

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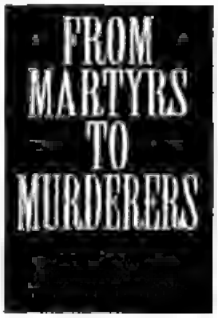

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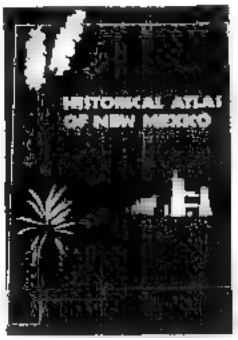

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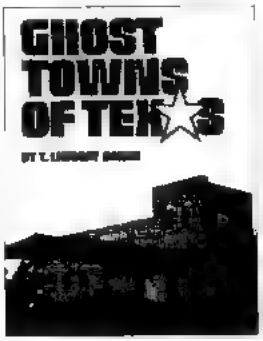

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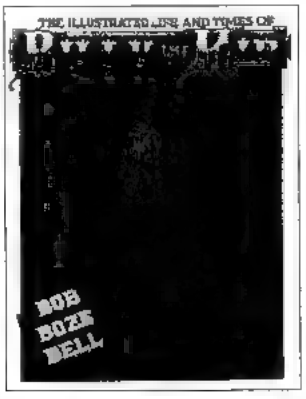

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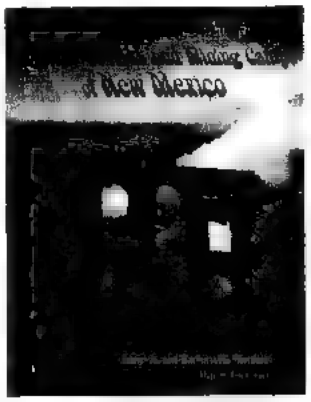

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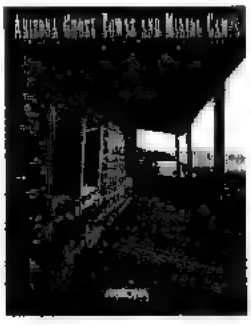

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BRODERICK AND TERRY

Their First Duels

By CHRIS BURCHFIELD

In 1859, California Supreme Court Justice David Terry killed David Broderick, a United States senator from California, in what became one of the most famous duels of the nineteenth century. Yet Broderick and Terry, whose political differences led them to their showdown, were both veterans of earlier "affairs of honor." In a strange coincidence, they fought their first duels within months of each other in 1852. Both occurred under extraordinary circumstances, and both had surprise endings. Broderick may not have known about Terry's first duel, but Terry certainly knew of Broderick's. The latter's coolness under fire undoubtedly contributed to Terry's great respect for him.

In a strange coincidence, they fought their first duels within months of each other in 1852. Both occurred under extraordinary circumstances, and both had surprise endings. Broderick may not have known about Terry's first duel, but Terry certainly knew of Broderick's. The latter's coolness under fire undoubtedly contributed to Terry's great respect for him.

Broderick, brought up in rough-and-tumble New York politics, arrived in San Francisco in the fall of 1849 and went into the minting business with a partner named Frederick Kohler. Inside an assay office on the south side of Clay Street, the two forged ten-dollar shags (gold coins) using $7.78 worth of gold dust, a practice that would have landed them in jail almost anywhere but California. Soon they were wealthy men.

In 1850 Broderick won a state senate seat from a San Francisco district. During the campaign he became a fixture around the city's saloons, where people soon learned that Broderick cared little for drinking, gambling, or women. His two overwhelming passions were power and politics. Within a year he had built a political machine that would have been the envy of any New York Tammany Democrat.

Broderick, sometimes known as the "Chief," was gruff and subject to tirades, but he was also generous and a true friend to people who delivered on their promises. For a time his backroom control of California's Democratic Party served him well, but it also made him many enemies among the state's newly arrived Southerners and Midwesterners. In response, those groups created what informally became the "Chivalry Wing" of the Democratic Party.

Broderick clashed with the Chivs many times, but his most spectacular confrontation occurred in March 1852, following some remarks he made about William Smith, a California politico and former governor of Virginia. Several weeks before, Smith had helped block Broderick's election to the United States Senate. (At the time, state legislatures selected senators.) Still angry over his failed bid, in a speech to the state senate Broderick charged that Smith habitually associated with gamblers.

Broderick offended Smith, who asked for an apology. Realizing he had stepped beyond the bounds of decency, Broderick apologized, but it did not satisfy the governor's son, Judge Caleb Smith. Several days later the younger Smith posted a notice (then termed a card) in the Sacramento *Democratic State Journal* calling Broderick a "liar, scoundrel and a blackguard."

Broderick and Smith were in San Francisco when the card appeared and coincidentally crossed paths at the corner of Sacramento and Front streets. Five hundred people gathered as the men eyed each other from a short distance. To the crowd's disappointment, Broderick and Smith turned on their heels and strode away in opposite directions.

The following day Smith offered to withdraw his card on condition that Broderick challenge him to a duel. That was an indirect way to the dueling ground, but as the challenged party, Smith would have the choice of weapons, distance, and dueling site. Broderick issued the challenge, thus setting the stage for one of the most bizarre duels in California.

Smith's Southern followers had grown wary of migrants from other parts of the country, as their men had fared poorly in recent duels. The previous year Pennsylvanian Will Hicks Graham had badly shot up the Southerners' star duelist,

William Walker. More recently Governor John McDougal, a Hoosier, had blown a pistol out of Southerner Andrew C. Russell's hand. And everyone knew that Broderick was not only fearless, but one of the best marksmen in California.

Broderick chose as his second Vicesimus Turner. "Vi," as he was known, was a former New Orleans sports promoter who often acted as a mediator in his boss's feuds with the Chivalry Democrats. He had already made a name for himself in Panama, en route to California, by challenging Cornelius Garrison, soon to be mayor of San Francisco, to a duel. In setting the terms of the affair, Turner insisted the two stand toe-to-toe with pistols cocked and pressed against the other's forehead. At the word "Fire," they were to pull the triggers. Garrison had the good sense to decline Turner's challenge.

Smith's second was Edward Fitzhugh, another Virginian, who would later become a judge in Mariposa County. For a dueling site Smith chose a location in what is now downtown Oakland, a quarter mile from San Francisco Bay. He selected six-shooters of precisely the same make at a distance of twelve paces. Both Broderick and Smith agreed that at the word they would advance on each other, firing their revolvers at will until one or both went down.

Broderick assigned Judge Edward "Ned" McGowan, formerly a judge of the city court of sessions, to find a suitable weapon. McGowan settled on a revolver owned by Charles P. Duane, a Broderick protégé, saloon owner, and one of the most feared brawlers in San Francisco. Earlier, "Dutch Charlie," as he was known, had discovered the cap caught in one of the cylinder chambers, preventing it from rotating. To correct the problem he filed the chamber, yet only after the duel did Dutch Charlie bother to inform McGowan of the pistol's defect. Caleb Smith discovered his six-shooter had the same problem, but instead of filing the chamber he opted for another advantage.

News of the impending duel spread across San Francisco and from the evening of March 17 into the morning hours of March 18, the town's fleet of tug boats ferried 150 spectators across the Bay. The last of the throngs sloshed ashore just as the sun was breaking through the fog. In the distance they could see Broderick and Smith, and their partisans clustered a quarter mile apart. As the stragglers moved toward them the two parties converged.

AFTER SMITH took his position his second, Judge Fitzhugh, threw Broderick, Turner, and McGowan a surprise by demanding that as the challenged party, Smith was entitled to choose from the weapons brought to the dueling site. Though they were unaware of any defect in the revolvers, Turner and McGowan wrangled angrily over the demand until Broderick volunteered to settle the point with a coin toss. Smith won the toss and chose Broderick's filed weapon.

As McGowan began loading the defective weapon, Broderick pulled a heavy-cased gold watch from his vest pocket and handed it to Turner. In yet another fateful turn of events, Turner handed it back, saying, "Keep it, it's part of a gentleman's wearing apparel. If the other side does not object, wear it."

Judge Fitzhugh, witness to the exchange, made no objection and Broderick pocketed his watch. The six-shooters were handed to the duelists and moments later Fitzhugh called out, "Gentlemen, are you ready?"

"Ready," both answered.

"Fire!"

The revolvers cracked simultaneously at "one," but after the first shot Broderick's cap caught in the cylinder, preventing further fire. In the face of Smith's barrage, he clasped the revolver between his knees to force the trigger back. Just as he straightened himself with cocked trigger, one of Smith's rounds slammed into his stomach, staggering him and knocking his hat to the ground. Broderick recovered

Turner rushed over and unbuttoned Broderick's coat. On examination he found that Smith's bullet had struck his gold watch, shattering it into fragments and causing a small flesh wound.

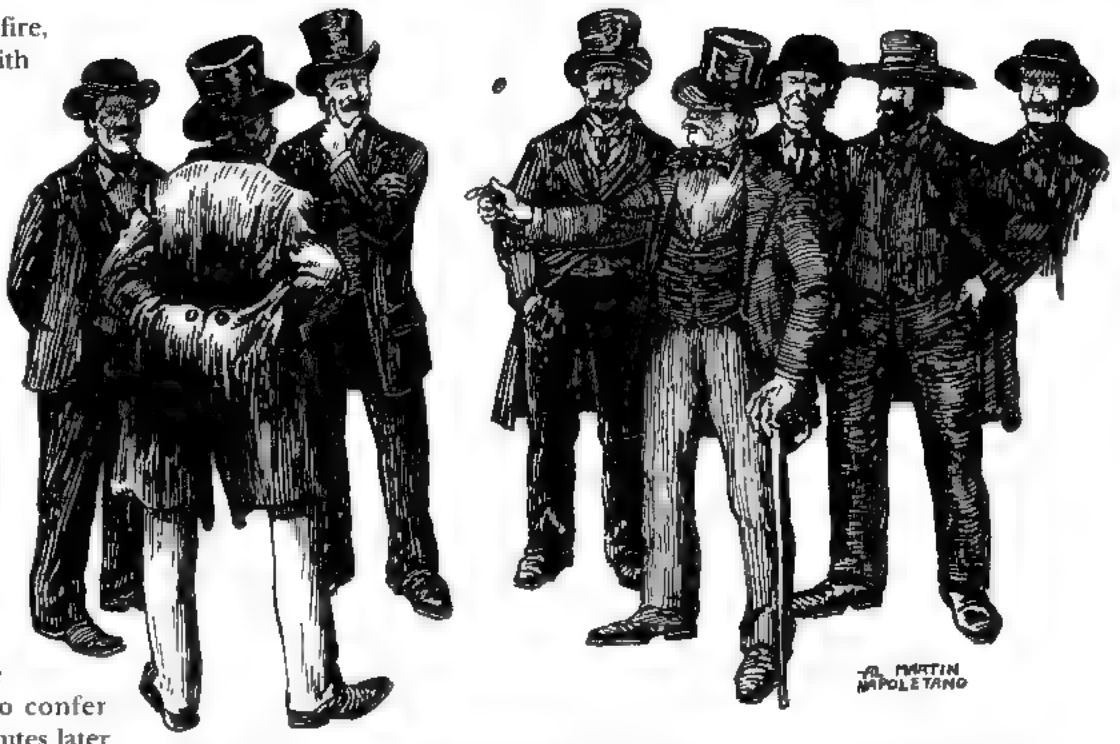
his balance and returned fire, emptying his pistol at Smith without affect.

With all rounds expended, Turner rushed over and unbuttoned Broderick's coat. On examination he found that Smith's bullet had struck his gold watch, shattering it into fragments and causing a small flesh wound. A curious crowd pressed around as Turner tucked Broderick's shirt back into his pants and asked if he was ready to continue the duel.

"Certainly I am."

Turner ordered the crowd back, then left to confer with Fitzhugh. A few minutes later he returned and told Broderick that Judge Smith had acknowledged him "an honorable gentleman."

"That is sufficient," said Broderick. Turner then escorted him to the middle of the dueling ground where he and Smith shook hands, ending the duel.



Though they were unaware of any defect in the revolvers, Turner and McGowan wrangled angrily over the demand until Broderick volunteered to settle the point with a coin toss. Smith won the toss and chose Broderick's filed weapon.

David Terry's first duel may not have been as bizarre in its outcome as Broderick's, but it was held under the most extreme circumstances. Also, Terry's opponent was almost as colorful and controversial as the judge himself.

California boasted many hard towns in the 1850s, not all in the mining counties. Some, such as Stockton, were in the San Joaquin Valley.

Most of Stockton's early settlers hailed from New York or the South. The most prominent among them was George Gordon Belt, a former quartermaster sergeant for Jonathan Stevenson's New York Regiment, which had occupied California during the Mexican War. Belt stood six-foot-three and had a powerful build. He was also a dead shot with either pistol or rifle. After being mustered out of Stevenson's regiment in 1847, at the age of twenty-two he left San Francisco for Stockton.

Not surprisingly, despite his youth, Belt was chosen the town's first alcalde. He continued to preside as judge after the alcalde system was dropped.

From 1849 through 1851, a loosely organized band of desperadoes plagued Stockton. On several occasions Judge Belt, determined to bring law and order to the area, hanged not only red-handed killers, but common thieves as well. His vigilante tactics gained him the enmity of California's legal profession. Nonetheless, Stockton's merchants supported his measures. When he stepped down as judge in May 1850 to establish a trading post in Mariposa County, he was still very popular.

Early that same year a stranger, fresh from disappointment in the mines, appeared in Stockton's dusty streets. As big and powerful as Belt and with a hair-trigger temper, his name was David Terry. Born in Kentucky, as a youth Terry had moved to Texas where he obtained a law degree. With the discovery of gold in California he left Texas with some thirty other argonauts to find his fortune.

For a few months he mined in Calaveras County. Failing to strike it rich, in the winter of 1850 he departed for Stockton to practice law with a man named Duncan Perley. Inevitably, he crossed paths with George Belt. Despite Terry's distaste for Belt's cavalier method of justice and the fact that they were from different parts of the country, the two became good friends.

Early in 1852, however, Belt learned that one of Terry's associates, a Doctor Roberts, alias "Captain Yeomans," was a horse thief and an impostor wanted in Mexico for highway robbery. When Belt complained to Terry about the company he was keeping, Terry insisted Roberts was "an honorable man." When Belt repeated his charges, Terry called him "an unmitigated liar and a scoundrel." Furious over the name calling, the following day Belt sent Henry Marshall, his chosen second, into Terry's office with a demand to either apologize or accept a challenge.

Terry refused to apologize, accepted Belt's challenge, and

named Duncan Perley as his second. By no accident had Perley and Marshall lined up on opposite sides of the feud—they had fought the first duel in Stockton two years before.

Friends of both Belt and Terry tried to arrange an "adjustment" satisfactory to both. A little-known factor prompted Perley's desire to settle: while Terry understood the dueling code, he was unpracticed with firearms. In all of his brawls—and he had had several since arriving in California—he had used either a cane or a Bowie knife.

Several of Terry's Texas friends thought that, as the challenged party, he would claim his right to use the Bowie knife. Yet Terry apparently knew there was little precedent for using such a weapon in a duel. Hacking at each other with knives was common among frontiersmen, but no written code for using them in a duel existed.

However, Terry's lack of practice with firearms was not well known, and most Stocktonians were not surprised when he chose dueling pistols. Many were nonetheless astounded to learn that he would meet Belt at a distance of just ten feet.

The distance jarred both Belt and Marshall, who called it "unprecedented and barbarous." Terry remained inflexible. Finally Belt and Marshall sought out William S. Swasey, an early California pioneer and authority on the dueling code. Swasey listened to their argument, but decided that Terry, as the challenged party, had a right to "name his distance."

Belt reluctantly agreed and early January 15, 1852, he and his crowd, followed by Terry and his crowd, departed for the dueling site, Mormon Island in the San Joaquin Delta. The Reverend James Woods, one of Stockton's recent arrivals from the East, was lodging at the Dickerson House on Center Street when loud talk awoke him at 4:00 A.M. Through the cloth walls of his room he could hear locals discussing the duel as they prepared to leave for Mormon Island. Concluded Woods, "I have surely arrived in the wild and woolly West."

The duel was to take place at sunrise, but long after daylight Belt and Marshall were still deep in conversation. Finally Marshall turned, strode over to Perley and informed him that if Terry continued insisting on a ten-foot distance, Belt reserved his right to question one more authority on the duel. Terry declined to lengthen his span by a single foot, and to the disappointment of the crowd, the duel was postponed.

Marshall returned to Stockton and wrote a letter to Calhoun Benham, a friend of both Terry and Belt, asking his opinion of the distance. A few weeks later a letter arrived from Benham informing Belt and Marshall that Terry was within his right to name his distance, however short it might be.

But by then momentous news had arrived in Stockton. Terry and

Bell surrendered, but rather than escort him to Stockton for trial, Belt and his posse, after an informal inquisition, hanged Bell on the spot. They returned to town that evening with only his scalp.

A throng of vigilantes sighted Terry in the streets before he could deliver the writ. In the brawl that followed Terry rammed his Bowie knife into the neck of one man, Sterling Hopkins.

Perley were astonished to learn that Dr. Roberts was indeed a highway robber; Belt's charges were proven to the letter. Terry immediately sought him out and apologized for his abusive language. Belt in turn accepted his apology.

Many years later William Swasey asked Terry why he had chosen to duel Belt at such close quarters. Terry replied that he had always suspected his opponent, despite his superior marksmanship, possessed a faint yellow streak. At the customary ten paces (thirty feet) he would have stood no chance against him. But by shortening the distance to ten feet, Terry thought his superior self-confidence might ensure at least an even chance against Belt.

George Belt appears not to have lost his standing in Stockton after his tangle with Terry. Evidence suggests he continued to recklessly apply the hangman's noose. In October 1856 he led a posse in pursuit of the famous stagecoach robber, Tom Bell. As Bell sat astride a horse among the willows lining the San Joaquin River, Belt spotted him some distance away. Climbing off his horse, he quietly approached. As he emerged from behind the willow branches, shotgun cocked and leveled, he announced, "I believe that you are the man we have been looking for."

Bell surrendered, but rather than escort him to Stockton for trial, Belt and his posse, after an informal inquisition, hanged Bell on the spot. They returned to town that evening with only his scalp.

As for David Terry, he continued to practice law and in 1855 was elected to the California supreme court. The following year he became a bitter critic of a vigilance committee that had seized control of San Francisco. That June he left his seat on the supreme bench for San Francisco to deliver a writ of *habeas corpus* for one of David Broderick's followers, some thirty of whom vigilantes had either jailed or run out of town.

A throng of vigilantes sighted Terry in the streets before he could deliver the writ. In the brawl that followed Terry rammed his Bowie knife into the neck of one man, Sterling Hopkins. He was soon captured and jailed. There he remained nearly two months, during which time he became a celebrity to members of California's "law and order party." One of his most effective supporters was Broderick, who bought out two newspapers and turned them into violently anti-vigilante journals.

In mid-August, the vigilantes released Terry and he left San Francisco by steamboat. He arrived in Sacramento the next evening to a tumultuous reception and torchlight parade. David Broderick was among those greeting him, but before the decade was over, the mutual respect the two anti-vigilance men had for each other would turn into hatred and death.

THE CYRUS GRI

By Harc

John Boessenecker Collection

Deputy United States Marshal Will Smith took part in the shooting of murderer Vincente Valenzuela and the recovery of Cyrus Gribble's gold.

Originally developed by Prospector Henry Wickenburg in the 1860s, the Vulture mine was one of the most valuable mining properties in Arizona for the next two decades. The mine and its smelter were some fifteen miles southwest of Wickenburg and some forty miles northwest of Phoenix, in the Vulture Mountains. During March 1887, Colorado mining magnate Horace Tabor purchased the mine, and he was its owner when Mine Superintendent Cyrus Gribble and two companions were murdered and robbed while they were transporting gold bullion from the mine to Phoenix. The callous killings became one of frontier Arizona's most famous murder cases, and the pursuit of the culprits one of the most determined manhunts in the territory's history.

Before daylight on March 19, 1888, Cyrus Gribble put a gold bar valued at $7,000 in his two-horse buggy and prepared to transport it to Phoenix for safe deposit. Anticipating the possibility of a robbery attempt, Gribble was armed with a Winchester rifle, a double-barreled shotgun, and a revolver. Driving the buggy was mine employee Thomas Johnson, also armed with a pistol. As an added precaution, Superintendent Gribble engaged another mine employee, Charles Doolittle, to accompany him on horseback as an outrider. Doolittle borrowed a sturdy horse from James Hammond, a local merchant from the nearby village of

BBLE MURDERS

Edwards

Vulture, for the ride and was armed with a rifle and a pistol. Thus prepared, Gribble felt secure for the trip. Unfortunately, however, news of his trip had leaked.

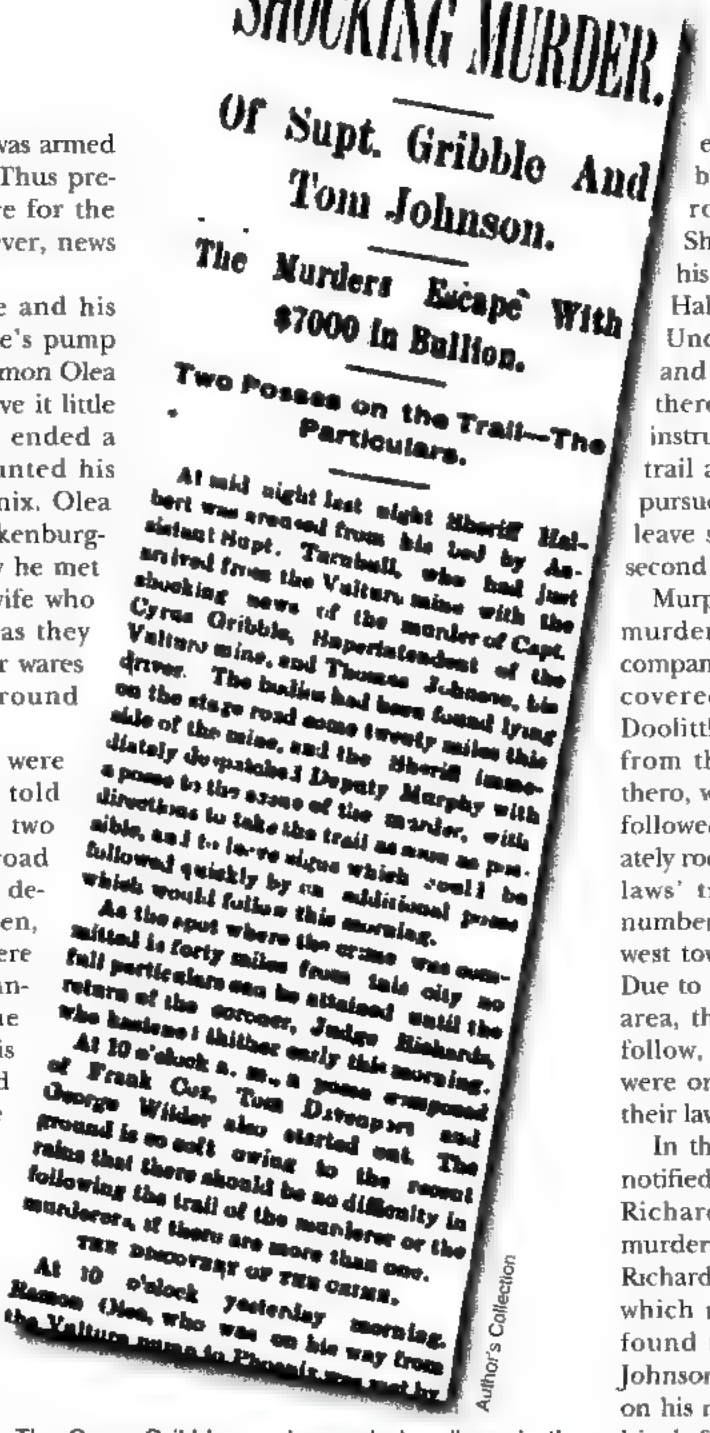
As day broke, Gribble and his party drove past the mine's pump station. Pump operator Ramon Olea watched them pass but gave it little thought. When his shift ended a short time later he mounted his horse for a ride to Phoenix. Olea turned south on the Wickenburg-Phoenix road, and shortly he met an elderly man and his wife who often traveled the road as they were peddlers selling their wares in the mining camps around Phoenix.

The man and his wife were visibly distraught. They told Olea that they had seen two human corpses on the road behind them. From their descriptions of the dead men, Olea feared the bodies were those of Gribble and Johnson. Without going to the murder scene to verify his suspicions, Olea spurred his horse back to the Vulture Mine, reporting the incident to the mine's assistant superintendent, Luke Turnbull.

Turnbull and several companions hurried to the murder scene. Olea had been right; the men found Gribble and Johnson in the road, shot to death. Leaving the others to secure the scene, Turnbull rode on to Phoenix and roused Maricopa County Sheriff Andrew Halbert from his bed about midnight. Sheriff Halbert immediately dispatched Undersheriff James K. Murphy and Deputy Sheriff Frank Prothero to the murder scene with instructions to follow the bandits' trail as soon as possible. As they pursued the outlaws they were to leave signs of their passage for a second posse to follow.

Murphy and Prothero rode to the murder scene. There, Turnbull's companions told them they had discovered the body of Charles Doolittle some two hundred yards from the road. Murphy and Prothero, who was an excellent tracker, followed their orders and immediately rode after the bandits. The outlaws' tracks indicated that they numbered three. The trail headed west toward the Hassayampa River. Due to the recent heavy rains in the area, the bandits' trail was easy to follow, and Murphy and Prothero were on one the greatest chases of their law enforcement careers.

In the meantime Sheriff Halpert notified Justice of the Peace Forrest Richards of the Gribble-Johnson murders. Acting as county coroner, Richards drove to the murder scene, which remained undisturbed. He found the bodies of Gribble and Johnson lying in road. Gribble was on his right side, legs drawn up and his left arm was over his face. Johnson was sprawled nearby.



SHOCKING MURDER.

Of Supt. Gribble And Tom Johnson.

The Murders Escape With $7000 in Bullion.

Two Posses on the Trail—The Particulars.

At mid night last night Sheriff Halbert was aroused from his bed by Assistant Supt. Turnbull, who had just arrived from the Vulture mine with the shocking news of the murder of Capt. Cyrus Gribble, Superintendent of the Vulture mine, and Thomas Johnson, his driver. The bodies had been found lying on the stage road some twenty miles this side of the mine, and the Sheriff immediately despatched Deputy Murphy with a posse to the scene of the murder, with directions to take the trail as soon as possible, and to leave signs which could be followed quickly by an additional posse which would follow this morning.

As the spot where the crime was committed is forty miles from this city no full particulars can be obtained until the return of the coroner, Judge Richards, who hastened thither early this morning.

At 10 o'clock a. m., a posse composed of Frank Cox, Tom Dixon and George Wilder also started out. The ground is so soft owing to the recent rains that there should be no difficulty in following the trail of the murderer or the murderers, if there are more than one.

THE DISCOVERY OF THE CRIME.

At 10 o'clock yesterday morning, Ramon Olea, who was on his way from the Vulture mine to Phoenix, met by

Author's Collection

The Cyrus Gribble murder made headlines in the March 20, 1888, *Phoenix Herald*.

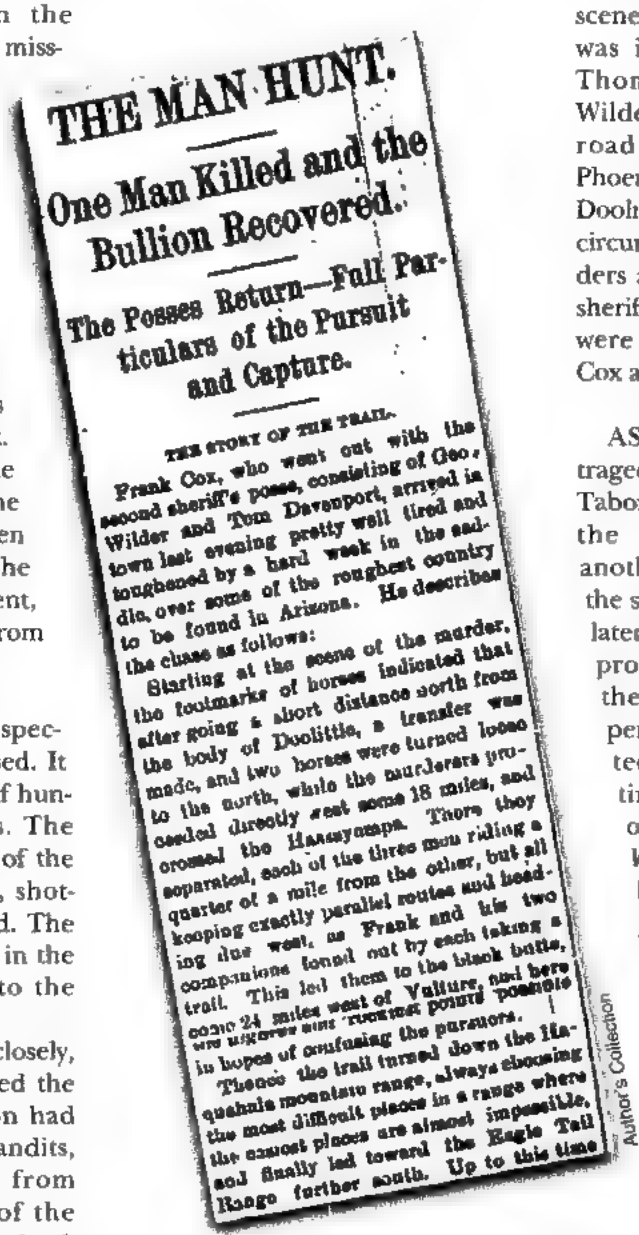
Both men had been shot four times in the legs and back. Gribble had an additional bullet wound in the right side of his throat, which ranged upward and exited behind his left ear. Johnson had also been shot in the temple. Both men's wounds indicated that they had been shot while lying on the ground. Johnson's pistol was missing, as were Gribble's rifle and watch, and the gold bar.

Coroner Richards next examined Charles Doolittle's body. He was lying on his back with his arms outstretched to his sides. He had been shot once. The bullet had entered his stomach from the front, angling through his body to the center of his back. Richards thought that Doolittle had been shot while lying on the ground, but he could have been shot from the ground while he was on his horse. In either event, the horse Doolittle borrowed from James Hammond was gone.

CORONER RICHARDS inspected the buggy Gribble had used. It was in the roadway a couple of hundred yards from the bodies. The buggy was wrecked, and one of the horses was still in the traces, shotgunned to death from behind. The other horse had been injured in the wreck and was taken back to the Vulture mine.

After examining the scene closely, Coroner Richard reconstructed the tragedy. Gribble and Johnson had driven past the concealed bandits, who opened-fire on them from behind. The force of one of the shots' striking Gribble in the back caused him to reflexively pull one of the triggers of the shotgun on his knee. The buckshot struck one of the buggy team. The startled team bolted. They ran forward, throwing the passengers into the road, then ran off of the road for a hundred yards or so and then back onto the road. The wounded horse died and dropped to the ground, and the moving buggy ran into the horses, wrecking the vehicle.

In contrast, a newspaper account placed the bodies of Gribble and Johnson closer to the wrecked buggy. The paper speculated that they were thrown from the vehicle when it collided with the horses.



THE MAN HUNT.

One Man Killed and the Bullion Recovered.

The Posses Return—Full Particulars of the Pursuit and Capture.

THE STORY OF THE TRAIL.

Frank Cox, who went out with the second sheriff's posse, consisting of Geo. Wilder and Tom Davenport, arrived in town last evening pretty well tired and toughened by a hard week in the saddle, over some of the roughest country to be found in Arizona. He describes the chase as follows:

Starting at the scene of the murder, the footmarks of horses indicated that after going a short distance north from the body of Doolittle, a transfer was made, and two horses were turned loose to the north, while the murderers proceeded directly west some 18 miles, and crossed the Hassayampa. There they separated, each of the three men riding a quarter of a mile from the other, but all keeping exactly parallel routes and heading due west, as Frank and his two companions found out by each taking a trail. This led them to the black butte, some 24 miles west of Vulture, and here in hopes of confusing the pursuers.

Thence the trail turned down the Harquahala mountain range, always choosing the most difficult places in a range where the easiest places are almost impassible, and finally led toward the Eagle Tail Range further south. Up to this time

Author's Collection

The killing of one of Cyrus Gribble's murderers and the recovery of the stolen gold by lawmen made headline news in the *Phoenix Herald* of March 28, 1888.

Apparently Doolittle was shot at the same time as Gribble and Johnson and could neither flee nor give his companions aid.

Coroner Richards took charge of the bodies and transported them to Phoenix. The town had no morgue at the time, so Richards kept them in his office, where they were on public display until the coroner could dispose of them.

At 10:00 on the morning of March 20, 1888, Sheriff Halbert dispatched the second posse to the murder scene. Phoenix Attorney Frank Cox was in charge, accompanied by Thomas Davenport and George Wilder. They met Richards on the road while he was returning to Phoenix, and he told them of Charles Doolittle's death. He also detailed the circumstances surrounding the murders and advised them that Undersheriff Murphy and Deputy Prothero were already on the bandits' trail. Cox and his party hurried on.

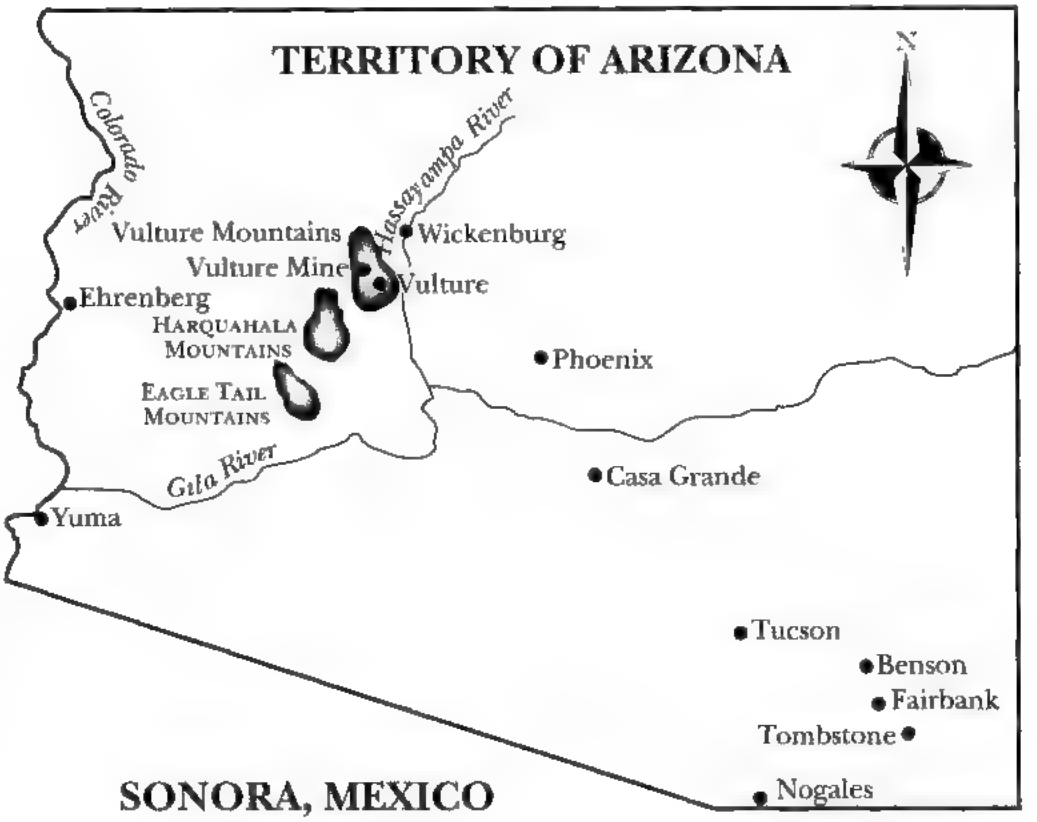
AS SOON AS he heard of the tragedy, Vulture Mine owner Horace Tabor posted a reward of $1,000 for the killers' apprehension and another $1,000 for the recovery of the stolen gold bullion. Several days later Arizona Governor Meyer Zulic proclaimed a reward of $500 for the arrest and conviction of the person, or persons, who committed the murders. In the meantime, citizens met in Phoenix, outraged at the merciless killings, especially when they learned that Gribble and Johnson had been shot after they lay on the ground, possibly already dead from their other wounds. They decided to raise money for additional rewards, but in the end they did nothing. Still, the meeting did allow the people to vent their frustrations.

Undersheriff Murphy and Deputy Prothero crossed the Hassayampa River and discovered that their quarry had split up, apparently going their separate ways. Murphy and Prothero followed different trails. The outlaws had ridden parallel courses about a quarter-mile apart. The trails converged as they entered the Vulture Mountains, and Murphy and Prothero were reunited.

The three outlaws next rode south toward the Harquahala Mountains,

EXHIBITED

rode through a pass to the west and headed for the Colorado River some sixty miles away. In response to the intense public interest in the manhunt, the March 26, 1888, *Phoenix Herald* speculated that the outlaws were in a confined area, and that their capture was just a matter of time. The bandits couldn't cross the Colorado River, the *Herald* asserted, as it was twelve feet above normal flow due to recent rainstorms. Even if they did manage to cross the river, the sheriff of San Bernardino County, California, had been alerted to them and was waiting. The Gila River to the south was also in flood stage and could not be crossed. Further, the sheriffs of Mohave and Yavapai counties to the northwest were on the lookout for the murderers, as were officers in Yuma County to the southwest. The public waited impatiently for the capture,



From a map by the author

Undersheriff Murphy and Deputy Prothero stuck doggedly to the bandits' trail. After riding some forty miles to the west they found the bandits had circled back to the east and were headed in the general direction of the Eagle Tail Mountains. By then Frank Cox, Thomas Davenport, and George Wilder had followed Murphy and Prothero's blazed trail into the Vulture Mountains. At the same time, Tucson Deputy United States Marshal William Breakenridge met Yuma Deputy United States Marshal Will Smith in Phoenix. From there they rode into the Vulture Mountains to look for the bandits.

The fleeing outlaws veered to the northeast and reentered the Vulture Mountains from the southwest. After being on the trail for several days, Frank Cox and his party accidentally ran into Undersheriff Murphy and Deputy Prothero in a canyon. Although tired and without provisions, Murphy and Prothero were still close on the outlaws' trail, and they wanted to go on. The two posses united and continued to pursue the bandits.

The posse men elected not to follow down the steep hill but to try to intercept their quarry at the base of the mountain by going another way. However, the outlaws saw the waiting lawmen and opened fire on them from behind several large rocks. A sharp gunfight ensued. Neither side scored any hits, and the battle was a standoff.

About mid-morning on the day after the posses met, the lawmen rode over a ridge and saw the three outlaws carefully winding down a canyon about a quarter mile below. The posse men elected not to follow down the steep hill but to try to intercept their quarry at the base of the mountain by going another way. However, the outlaws saw the waiting lawmen and opened fire on them from behind several large rocks. A sharp gunfight ensued. Neither side scored any hits, and the battle was a standoff. The officers could not dislodge the bandits from their shelter, nor could they advance across the open area between them and their adversaries without extreme danger.

At that point, Frank Cox rode into Vulture for reinforcements and provisions. Shortly after Cox left the posse men, the outlaws broke from cover and successfully retreated into the mountains. The posse again took to the trail, which led north as the bandits seemed to be going to Wickenburg.

As the posse followed the outlaws' trail in the mountains west of Vulture, Frank Cox rejoined them with six men. The first posse advised Cox and his men that the outlaws were still ahead of them and close by. Near Vulture, the posse found

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two jaded and abandoned horses; their tracks matched two of the three horses the posse men had been following. The killers had simply left the horses, walked into Vulture, and lost themselves in the community.

The posse followed the remaining tracks and found that the third outlaw had ridden very close to Vulture, tied his horse to a thicket, and walked into town. He shortly returned to the horse and rode it to the Hassayampa River and turned south. At that point, Frank Cox left the posse and returned to Phoenix, where he reported the progress of the chase.

While Murphy, Prothero, Davenport, Wilder, and the others pursued the outlaw down the Hassayampa River, they were joined by William Breakenridge and Will Smith, who had tracked them out of the Vulture Mountains. Near the juncture of the Hassayampa and Gila rivers they found James Hammond's magnificent horse mired in the Gila River quicksand with a broken leg. The posse men dispatched the unfortunate beast at once.

Arizona Historical Society

Cochise County Sheriff John Slaughter arrested Nabor Escalante and Angel Demarra in Fairbank for the murder of Cyrus Gribble.

THE DISMOUNTED outlaw could not cross the Gila River as the water was high from flooding, so he walked westward along the river bank to the Gila River Irrigation Company's yard. Posse members later decided he had hoped to get a ferry boat from there across the river. The posse followed his trail into the yard.

Will Smith asked a man named Powers if he had seen any "strange Mexicans," and Powers pointed to a man sitting on a pile of wood a few yards away from them. The man saw that he was noticed and sprinted for some nearby thickets. At least four posse men—Murphy, Smith, Prothero, and Breakenridge—fired at the fugitive. He fired one shot at them from his revolver before falling dead with a bullet in his brain. The posse men found Cyrus Gribble's watch on his body, and the stolen gold bar was wrapped in his blanket.

Judge Richards, again acting as county coroner, held an inquest into the shooting later that day. The coroner's jury was comprised of Hiel Hale, H.S. Watton, Frank P. Teal, John Born, and John Ireland. After taking evidence from the posse members, the jury ruled, "We the undersigned, having been duly impaneled and sworn to inquire into the death of a Mexican, name unknown, found dead in the camp of the Gila River Irrigation Company, and that he came to his death resisting arrest by a posse in charge of Undersheriff J.K. Murphy and Deputy United States Marshal W.F. Breakenridge and Will Smith, by a gunshot in the head. Camp Gila River Irrigation Company, Maricopa County, Arizona, March 26, 1888."

The officers published the dead bandit's description in the local newspapers, and in the end he was identified as Vincente Valenzuela. Little or nothing else was known about him.

ON MARCH 30, 1888, Thomas Davenport, George Wilder, William Blankenship, and W.E. Eads arrived in Phoenix with Juan Valdez and Ignacio Valles, two prisoners they had arrested in Vulture. They were suspected of aiding the murderers' escape. Although authorities thought the two horses that the killers abandoned near Vulture belonged to Valles, they could not make a case, and the prisoners were released. The hunt for the missing outlaws continued.

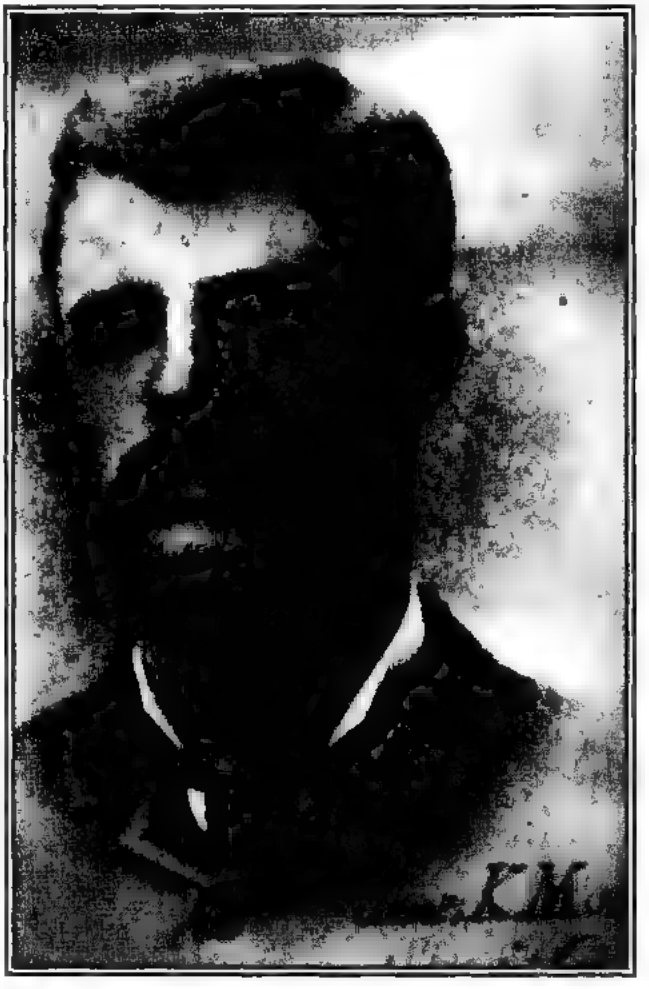
Also on March 30, 1888, the *Tombstone Prospector* reported that Horace Tabor had paid the $1,000 reward he had promised for the arrest of the Gribble murderers. The press thought that the territorial governor should also pay the $500 reward he had promised. Eventually the territorial reward was paid. How the reward money was divided remains unknown.

The manhunt for the slain Valenzuela's companions continued without success. Interest in the matter waned, and the pursuit fell off accordingly. Six months after the murders, however, in mid-September 1888, Cochise County Sheriff John Slaughter and his deputies Burt Alvord and William Showers arrested Nabor Escalante and Angel Demarra at Fairbank. Though both men met the fugi-

tives' descriptions, it isn't known what other grounds Slaughter might have had for their arrest.

Even before Sheriff Halbert and Deputy R.E. Boyd transported them to the Maricopa County jail in Phoenix on September 14, 1888, the local press felt the evidence against Escalante and Demarra was weak and inconclusive.

The prosecutor brought three counts of murder against Escalante and Demarra. Their preliminary examinations were September 20, 1888, before Justice of the Peace W.T. Woods. The witnesses for the prosecution were Sheriff Andrew Halbert, Undersheriff James Murphy, Cochise County Sheriff John Slaughter, and his deputies Burt Alvord, William Showers, James Hammond, and Chris Rodriquez. The following day John Elders testified that a silver watch found in the prisoner's blankets was the one carried by murder victim Thomas Johnson. Elders said the watch had an unsual design and once seen was not forgotten. On October 1, 1888, Judge Woods ordered the defendants held in jail without bail to await grand jury action.



Arizona Historical Society

Maricopa County Undersheriff James K. Murphy pursued Cyrus Gribble's killers and took part in shooting Vincente Valenzuela

DURING EARLY November 1888, the Maricopa County grand jury heard the evidence. The same witnesses who had testified before testified again. The grand jury charged each defendant with the murders of Cyrus Gribble, Thomas Johnson, and Charles Doolittle. The defendants were immediately arraigned before the Maricopa County superior court; they pleaded not guilty to all counts. The judge ordered them to be held in jail without bail pending further court action.

On Monday, December 3, 1888, Angel Demarra went to trial on the single count that he murdered Cyrus Gribble. Frank Cox, now the district attorney, and attorney E.J. Edwards prosecuted. Lawyers Webster Street and Benjamin Goodrich conducted the defense. Judge W.W. Porter presided over the trial. Once again, the same witnesses testified. Demarra stated that he and Escalante were employed at Florence, Arizona, at the time Gribble was killed and they couldn't have committed the murder. The case went to the jury on December 12, 1888. At 10:30 that night the jury found Demarra guilty as charged.

The defense team moved for a new trial. At the same time they moved that Escalante's trial be delayed until after January 28, 1889, when Judge Porter would rule on the first motion. On that day, Judge Porter granted the motion for a new trial for Demarra, and on the following day Nabor Escalante's trial for the murder of Cyrus Gribble began.

Judge Porter presided and the same teams as in the Demarra trial conducted the prosecution and the defense. The same witnesses as before testified. Jurors were Thomas Walker, T.J., Goodwin, C.W. Goodrich, A.K. Ross, Ben George, George Nichols, J.B. Mullin, O.M. Stewart, William Barnett, Fred Doublebower, J.M. Gillium, and J. Carroll. On the afternoon of January 30, 1889, the case went to the jury, and at 9:30 that night the jurymen came to a decision; however, they did not announce their verdict until the next morning: not guilty.

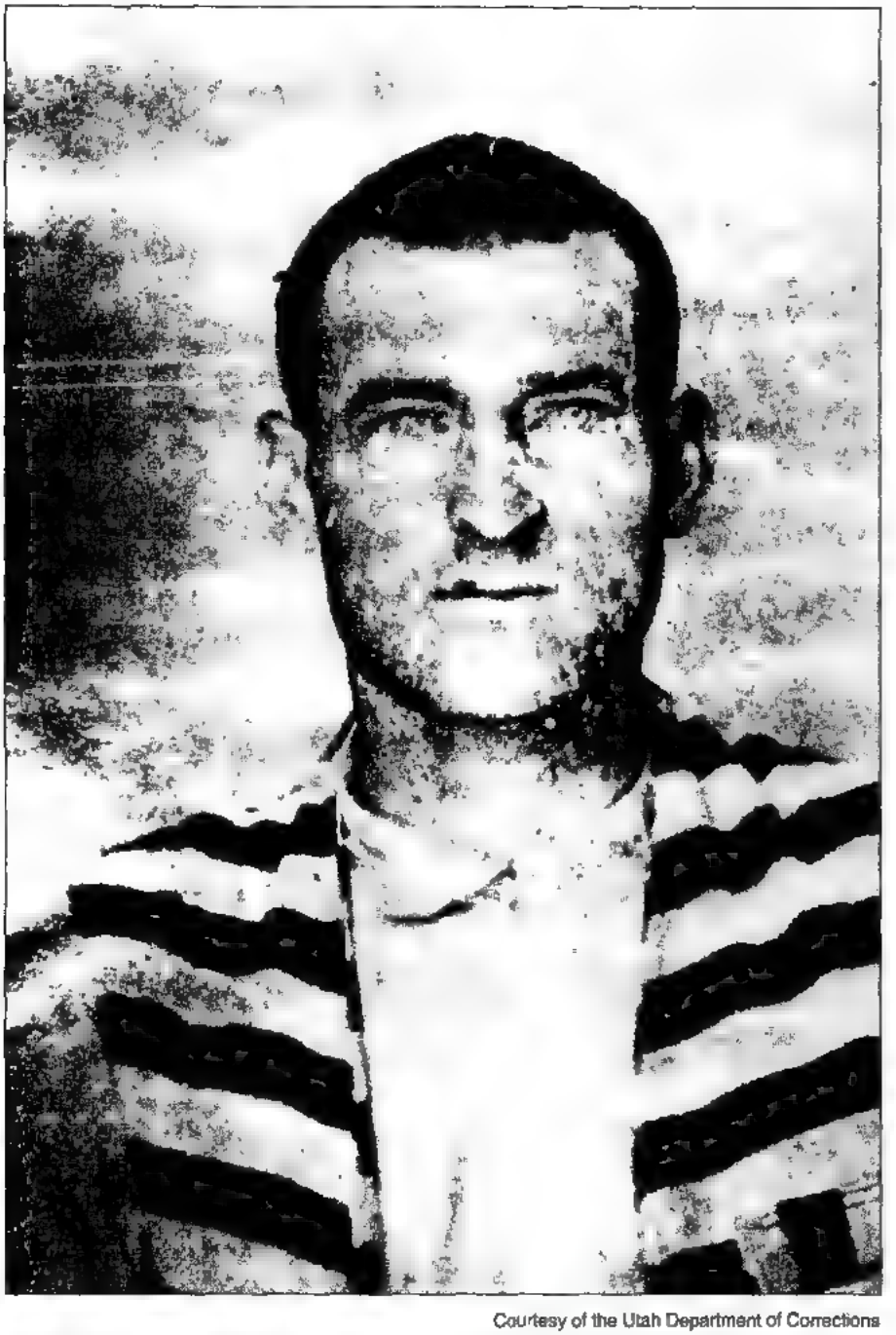
AT THAT POINT, Prosecutors Cox and Edwards reevaluated the evidence and advised Judge Porter that they did not have sufficient evidence to retry Demarra for Gribble's murder. They said further that they did not have sufficient evidence against the defendants in the other cases to warrant the expense of additional trials. On motion of the district attorney, Judge Porter dismissed all pending charges against Demarra and Escalante and discharged them from custody. They walked from the courtroom as free men.

Cyrus Gribble's watch and the stolen gold bullion in Vincente Valenzuela's possession after the posse killed him left no doubt he was one of the murderers. However, the identities of his accomplices in the slayings were never determined. Thus, the Gribble killings were never completely solved, lending an element of mystery to the grisly affair and keeping interest in the case alive to this day.

Red M

Arizona's C

By Janet W



Courtesy of the Utah Department of Corrections

Red McNeil, the Outlaw Poet, as he looked on his entry into the Utah state penitentiary.

Red McNeil, a train robber, horse thief and hold-up man, captured northern Arizona's imagination in 1888. The *Winslow News* reported, "What Frank and Jesse James were in [their] day to the state of Missouri, R. W. McNeil is to the territory of Arizona today."

McNeil's cheerfulness, daring, and devil-may-care attitude made him a favorite subject of the local newspapers. His most appealing characteristic, however, was that he wrote poetry. After many of his escapades, he penned a verse and sent it to his victim. The *St. John's* (Arizona) *Herald*, a newspaper of the day reported, "There is something to admire in such dare-devil recklessness, when it is known he has never shed the blood of his fellowman."

It was Red McNeil who brazenly walked into A. and B. Schuster's store in Holbrook, Arizona, late in the evening of May 30, 1888. Adolph Schuster had just finished putting the day's cash into the big iron safe when McNeil came through the front door. He aimed his pistol at Adolph, grinned broadly, and said,

> Open that safe
> And do it fast
> Or your next breath
> Will be your last

Adolph recognized the red-headed young bandit as one of the wild cowboys from the Aztec Land and Cattle Company who hung out

cNeil
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in Holbrook's saloons. When McNeil motioned with his gun, Adolph slowly moved towards the safe.

Ben Schuster, Adolph's older brother, had already retired to the back of the store where the two immigrant brothers "batched." When McNeil opened the front door, Ben had felt the cool air and peered through the crack in the partition to discover a robbery going on. He first tried to sneak into the store and get a gun from under the counter, but when McNeil changed positions, Ben retreated behind the partition. He then crept out the back door and over to the saloon next door to borrow a shotgun.

Meanwhile in the store, Adolph nervously opened the safe and handed the nonchalant robber a cigar box of money. McNeil then decided to shop for a new wardrobe. He ordered Adolph to get him underwear, trousers, shirt, socks, boots, and, of course, a new Stetson hat.

When the easy-going McNeil poked the money in his pocket, some bills fell out, but he didn't bother to pick them up. He had just lifted the package of clothing, when Ben stepped through the front door, shotgun leveled. Still holding on to the parcel, McNeil grabbed Adolph, using him for a shield as he backed towards the side door. When they reached the door, McNeil pushed Adolph away and Ben fired a blast from his shotgun.

Courtesy of Garnette Franklin, Navajo County Historica Society Holbrook Arizona
The Schuster brothers store in Holbrook, Anzona, circa 1930.

The slugs tore into McNeil's shoulder and he fell backwards out the door. The wounded desperado ran across the backyard and splashed through the Little Colorado River, which ran directly behind the store. On the other side, he found the horse he had left tied in the willows, managed to bandage his shoulder and roll a cigarette, and then sat down to compose a poem.

The Schuster brothers raised the alarm and formed a posse to chase the "gang" of outlaws who had robbed the store of $200 in money and clothing. All they found were some cigarette stubs and a piece of paper stuck on a tree by a sharpened twig. In the poem, McNeil bragged of his stagecoach and train robberies, in one verse referring to the Schusters:

> There are my kind friends, the Schusters,
> Who blasted at me with their lead:
> But in the future to kill this young rooster,
> They will have to aim at his head.

McNeil aimed another verse at the posse:

My friends, I will have to leave you;
My war horse is sniffing the breeze;
I wish I could stay here to see you
Make yourselves at home, if you please.

The elusive McNeil had escaped again and his legend grew. He was well known in area saloons as a congenial character who clog danced and played the harmonica, or "mouth harp," as it was called. He was about five feet ten inches tall and weighed around 170 pounds, a handsome and sociable young man whose good humor made him popular among his cowboy cronies.

Rumors credited McNeil with a rich family in Boston that sent him money regularly and an education from either Harvard or Yale. Some people believed the stories, while others figured they were just more of McNeil's jokes.

McNeil's antics made him a favorite among newspaper editors, though. The *Winslow Mail* reported, "...he [McNeil] is a man of fine proportions, good looking and gifted with an education suitable for any profession and more especially would make an editor."

Apache County citizens followed McNeil's exploits in the newspaper and snickered when their sheriff, Commodore Perry Owens, could not arrest him. One of the bandit's verses poked fun at Owens, rubbing salt in his wounded pride

He handles a six-shooter mighty neat
And kills a jack-rabbit at every pop.
But should he and I happen to meet,
There will be a regular Arkansas hop.

Owens was well known for his speed and skill with a gun, but he couldn't match wits with McNeil. While searching for the outlaw, Owens spent the night in a cowboy camp where one of the young men had offered to share his bedroll. He awoke the next morning to find the cowboys gone and a note pinned to his bedroll.

Pardon me, Sheriff
I'm in a hurry;
You'll never catch me
But don't you worry.
—*Red McNeil*

The local newspaper learned of the incident; then newspapers statewide picked up the story, much to Owens' chagrin.

Coconino County, Arizona, Deputy Sheriff Pete Jacoby had discovered McNeil's hideout, a crude cabin in East Clear Creek Canyon, between Holbrook and Flagstaff, so he took up the search for McNeil. Jacoby, Sheriff John W. Francis, and one other man set out to arrest McNeil. Francis knew they were getting close to the bandit's hideout, but he didn't realize McNeil was in the area until shots hit Francis' horse and then blasted off Jacoby's hat, leaving a red streak across the deputy's scalp.

Shots flew back and forth across the canyon for an hour until McNeil suggested a compromise. Claiming he didn't want to kill anyone, McNeil offered to leave the area if Sheriff Francis would promise not to shoot him. Francis agreed and McNeil, true to his word, left Arizona, but he couldn't resist mailing back a plaintive poem:

Here's where Clear Creek deeply flows,
From the melted mass of Mogollon snows;
Here I lived and fain would roam
O'er the country that I, for years, called home,
Hunted continually, like some wild beast,
Until I reached my ranch I knew no peace.

The poem rambled on describing McNeil's gunfight and Francis' bravery and ended:

Toward these men I hold no grudge,
And hope some day a free man to stand
And grasp my combatants by the hand.

McNeil had not yet abandoned his robbery career when he left Arizona, but his luck had abandoned him. Heading to Sage Hen Flat in southwestern Colorado, he met eighteen-year-old Joseph P. Nay. McNeil stayed with Nay's family for two weeks before broaching his plan to rob the Denver & Rio Grande Western Railroad to young Joe.

Later, Nay would tell a reporter for the Provo *Utah Enquirer* his story. According to Nay, McNeil said, "'How would you like to go with me and hold up the D. & R.G. [Denver & Rio Grande] train.' I replied that I had never done anything of the kind. He then said, 'All that I want you for is for company, and just do what I tell you.' He promised me half of what he got if I would go and I consented....We left the same night.'"

McNeil assumed the alias of Edward K. Dayton. Nay claimed he was a younger brother named Joe Dayton, and they headed into Utah. On August 6, 1889, the pair tied their horses back three hundred yards from the railroad tracks and about three miles from the depot at Thompson Springs, Utah. The train robbers walked to the depot, and when the Denver & Rio Grande train slowed by the water tank, they pulled homemade masks over their faces and jumped on behind the tender.

THE ROBBERY was almost comic. When the train reached the area where Joe and McNeil had hidden their horses, they commanded the engineer to stop. Then Joe guarded the engineer and fireman while McNeil went back to the express car. He commanded the messenger inside to open the door, but the man refused. McNeil then got the fireman and ordered him to break open the door with his ax, but the door would not budge. Frustrated, McNeil and Joe shot the door about twenty-five times. The door held.

Finally, McNeil gave up on the express car and forced the engineer to accompany him while he collected the passengers' valuables in a sack. The pair then gathered their

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horses and made their getaway. For all their trouble, McNeil and Nay got one hundred twenty-five dollars (seventy dollars in greenbacks, five in gold, and the balance in silver) and five watches. They sold one of the watches and threw the other four away.

McNeil tried unsuccessfully to change his luck by robbing the saloon in Ogden, Utah, in September. While making his getaway, he shot a man in the leg. Ten days later, lawmen arrested McNeil for the saloon robbery and shooting. He claimed his name was Edward K. Fisher, one of his many aliases. When the authorities took his possessions, he asked them to take special care of his mouth organ. Joe Nay was arrested later the same day.

THE SHERIFF SUSPECTED the pair might be the train robbers and planted a detective in the cell next to them who overheard them discussing the holdup. Also, Ed Chapman, a visitor in town from Cortez, Colorado, recognized the robbers and alerted the police. Realizing the evidence against them, the two confessed.

September 25, 1889, Joseph B. Nay and McNeil (still going by Edward Fisher) were sentenced. According to the *Utah Enquirer*'s September 17 edition, Joe told the court he was sorry he had got into trouble and promised to do better. McNeil, still true to his nature, "smiled as he took his seat, and readily assisted the officers in fastening the chains on his ankles." McNeil was twenty-two years old and faced seven years for train robbery, two years for assault with a deadly weapon, and eight years for robbery.

While serving his term at the Utah penitentiary at Sugar House, McNeil decided to turn his life around. He studied hydraulic engineering and, after his release in 1899, became very successful in the field.

According to Jim Bob Tinsley's book, *The Hash Knife Brand*, the "rhyming robber" developed a conscience about his Arizona robberies. In the 1920s, he contacted a friend in Navajo County (formerly part of Apache County) and asked if the Schusters were "still mad at him." Assured the incident was practically forgotten, McNeil visited Adolph Schuster in Holbrook. He introduced himself only as a former resident and Schuster never realized who his visitor really was.

Several years later, in 1928, McNeil again visited Schuster who had moved to Los Angeles. This time, he revealed his true identity and the two told stories of the past.

McNeil apparently settled down to lead a normal, law abiding life, and little more is known of him. But an old newspaper clipping in the Arizona Department of Library and Archives hints tantalizingly at McNeil's origins. It is undated and does not carry a byline or even the name of the newspaper: "Robert W. McNeil, who served a term in the Utah state prison under the name of Ed K. Fisher...is to lead the fight of relatives to break the $1,000,000 will of the late Neil McNeil of Boston....McNeil declares the estate of his father, Sector McNeil, was mismanaged by Neil McNeil and the will of the latter should be broken."

So, maybe—just maybe—McNeil's tales of a wealthy Boston family and a college eduction were true. Why he chose the life of a western bandit still remains a mystery. Perhaps he simply craved the adventure, the challenge, or the thrill. Probably no one will ever know.

Nor will we ever know if McNeil, the educated and respected businessman, ever again played the mouth harp, clog danced, wrote a poem, or missed the high desert country of northern Arizona where he was the Outlaw Poet, Arizona's answer to Frank and Jesse James.

Courtesy of Navajo County Historical Society

Apache County, Arizona, Sheriff Commodore Perry Owens was among McNeil's literary targets.

The robbery was almost comic. When the train reached the area where Joe and McNeil had hidden their horses, they commanded the engineer to stop. Then Joe guarded the engineer and fireman while McNeil went back to the express car. He commanded the messenger inside to open the door, but the man refused. McNeil then got the fireman and ordered him to break open the door with his ax, but the door would not budge.

CANON CITY

BY ROBE

It started as a typical night at the Colorado state prison in Canon City, Colorado. But while most of the 500 convicts were either asleep or at work, four inmates were making final preparations for one of the most daring prison breaks in Colorado history. At nearly 11:00 P.M. on that cold January 20, 1900, a guard at the west gate was startled by the sight of at least three ghostly figures dashing across the prison grounds. He immediately fired multiple shots into the air—the unmistakable signal that a breakout was in progress.

The shots instantly awakened Warden Clarence P. Hoyt, who rushed out into the night still dressed in night clothes, "firing his revolver at every step." Dashing into his darkened office, he managed to round-up several excited guards and, with Deputy Warden Sargent in tow, raced to the interior of the prison yard. Upon reaching the guards' dining room, they found Night Captain William C. Rooney lying dead in a pool of blood, the apparent victim of numerous stab wounds. The prisoners had also attacked Assistant Night Captain C. F. Malone, stunning him with a sandbag to the head, but he staggered to his feet and managed to elude his assailants. As guards rushed to the west wall, they found the apparent means of escape—a rope with a hook hanging from the top of the wall.

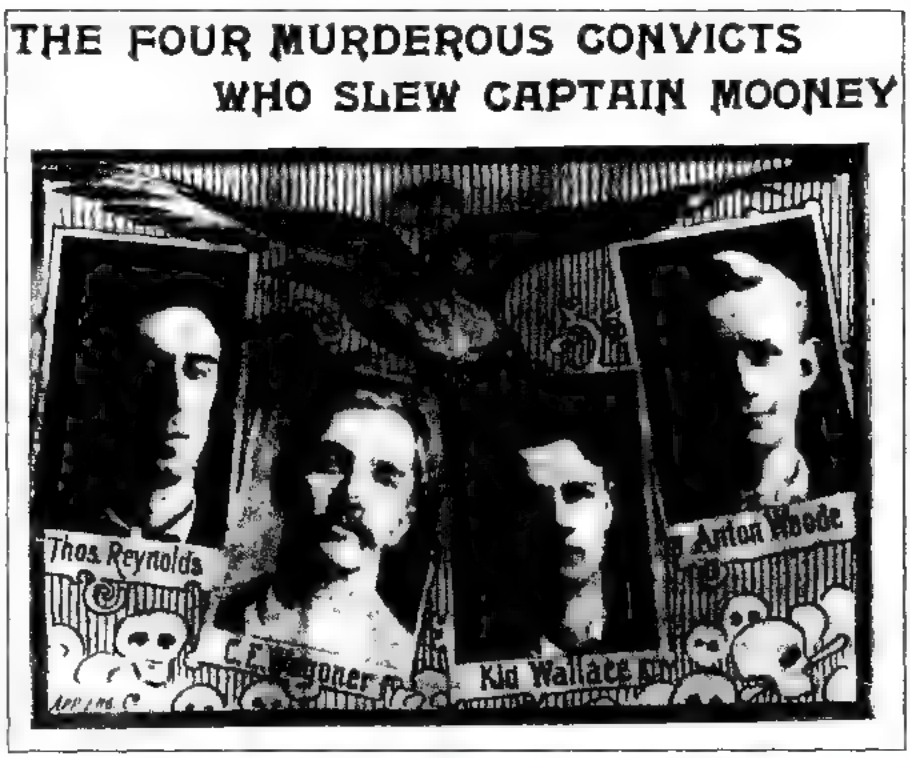
Assigned to the boiler room gang, the escapees had used their access to the power supply to cut off the lights in a large portion of the prison. In addition to sabotaging the lighting system, the escaped convicts also tried to cover their tracks by releasing the water from two 100-horsepower boilers. The scalding, foot-deep pool on the boiler room floor created a huge cloud of steam.

Meanwhile, the convicts housed in the prison's three main buildings remained quiet. An initial headcount indicated that three men were missing. Several hours after Rooney's murder, James White, an unarmed guard on duty in cellhouse number two, came forward as a witness but was, according to a Denver *Republican* report, "too excited to give a coherent story." From what could be learned from White, who was locked in the cellhouse, the boiler room gang left work about 10:30 to eat their evening meal in the guards' dining room. The gang attacked Captain Rooney as he was leading them into the dining room.

When he regained his composure, White said the fatal blow was struck by Frank "Kid" Wallace, imprisoned since 1895 for his role in a Wells, Fargo express robbery at Cripple Creek. Prison officials soon determined that four men, not three, had escaped. The others were Thomas Reynolds, C.E. Wagoner, and Anton Woode.

Reynolds, age thirty-four, was sentenced in October 1895 to seven years for burglary from Mesa County. During his trial the *Denver Republican* reported that the Texas-born Reynolds was engaged in teaching his young nephew how to "earn a living easy with long fingers."

Wagoner, age thirty-four, was sentenced in August 1898 to five years for robbery from Araphoe County. Woode, age seventeen, was serving twenty-five years for murdering an Arapahoe County man for his watch.



Colorado Historical Society

Reynolds, Wagoner, Wallace and Woode as featured in the *Denver Republican* January 24, 1900. The headline writer misspelled Captain Rooney's last name.

BREAKOUT

HUNT, JR.

Notorious as the "boy killer," Woode was eleven years old when he committed his crime.

Despite an intense search by prison authorities and local lawmen employing mounted posses and bloodhounds, the four escapees eluded detection for forty-eight hours. A bloodhound did, however, detect a scent leading northerly toward the mining camps of Victor and Cripple Creek.

Back at Canon City, a coroner's jury named the four prisoners as suspects in the murder of Captain Rooney. According to an article in the *Denver Post*, a physical examination of the body indicated that the officer was stabbed with a stiletto-type weapon "about eight inches long and keen as a razor." He had sustained a total of seven wounds including two penetrations of the heart and three wounds to the left kidney. Another thrust left a "gaping hole" in the left side, and one punctured the left shoulder.

A now fully coherent James White recounted in the *Republican* that he was transferring a prisoner from his cell to the ground floor of cell house number two, "when he heard the four convicts who escaped coming off duty in the boiler house." Captain Rooney and the four prisoners had barely entered the dining room "when three of the convicts pounced upon him. There was a short struggle, at the close of which Rooney's body lay upon the floor."

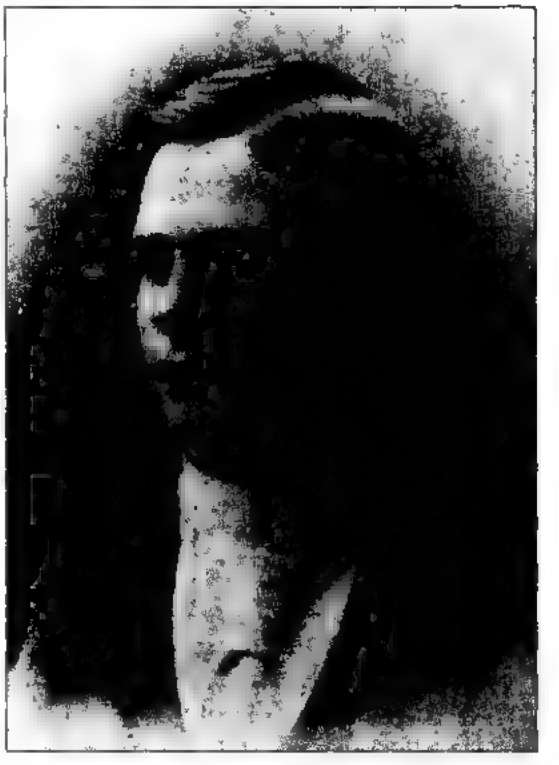
The *Republican* also reported that an unnamed convict testified that "Wagner [sic] held Capt. Rooney while Reynolds used his knife." The escapees bound engineer Zell B. Humphrey and another guard "hand and foot and placed [them] in the barber shop." Sympathetic inmates soon released them.

It was guard John Lindley at the west gate's tower number four who had heard White's shouting and fired the shot that alerted his superiors. Lindley fired at the shadows as they disappeared into the darkness.

In the interim, Rooney's body was taken to the Johnson ranch near Golden for burial. Captain Rooney was about thirty years old, married, and a graduate of Denver East High School's class of 1890.

Within forty-eight hours of the escape, Kid Wallace and Anton Woode were back behind bars. The nine- and eleven-year-old sons of a former prison guard named Charles E. Canterbury noticed two strangers digging turnips in the family garden near Victor. The boys watched the two men duck into a shed where Canterbury had stored squash, then told their mother, who in turn informed a neighbor named Coleman. Coleman rapped on the shed door but got no response. Wary of forcing the door open, he left.

Shortly thereafter, the two strangers, who turned out to be Wallace and Woode, abandoned the shed, walked a short distance, and hid beside the road. They remained concealed until dark, then backtracked past the Canterbury house and encountered Coleman. One of them asked the distance to Cripple Creek. Coleman tried in vain to detain them but, according to the *Republican*, noticed that "they were both bareheaded and only one wore a coat."



Colorado Historical Society

Captain William C. Rooney, victim of the Canon City breakout.

Meanwhile Canterbury returned home, heard the news about the strangers, and grabbed his long gun. Accompanied by his oldest son and Coleman, Canterbury searched the immediate area but found nothing save the remains of a campfire. The next day William G. Higgins, the gatekeeper on the thirteen-mile-long Canon City and Cripple Creek toll road, joined Canterbury. About five miles south of Victor they surprised the escapees huddled around a feeble campfire. The Denver *Times* reported that "Woode and Wallace were black from head to foot with grease and soot. They had not coats and their striped trousers had been painted black." Tired and footsore, they had eaten nothing for two days "except an ear of corn."

As it turned out, Wallace and Woode were fortunate to be returned to the prison before the people of Canon City learned of their capture. Once they were back in prison Warden Hoyt interrogated them. Hoyt asked Woode, "'Toney, how many times do you suppose Wallace struck Rooney?'

"'Oh, I suppose ten or a dozen times. He socked it right to him,' came the cold-blooded reply. Wallace did not deny the charge. Both wretches discussed the matter in the same off-hand manner they might employ in telling of killing a hog." Both denied any knowledge of the whereabouts of Reynolds and Wagoner.

For his part, Wallace claimed that Wagoner killed the officer. A convict named Stark provided still another version. He "said that Wallace and Woode stood by a table while Wagoner held Rooney and Reynolds did the stabbing."

While Wallace and Woode were safely ensconced behind the walls of "Old Main," Reynolds and Wagoner were lurking on the outskirts of Florence, a small community some ten miles southeast of Canon City. About eight o'clock on the evening of Jaunary 26, a stranger called at the Cronk residence on Florence's west side and "asked for a hat, being bareheaded." Mrs. Cronk gave the man a hat, but at once notified the police. Rushing to the scene, the officers spotted two men in a vacant lot near the rear of a store.

The men bolted at the sight of the officers. Because of pedestrians in the vicinity, the officers could not use their weapons to stop the fleeing suspects. One of the men, however, ran directly into a wire fence and became entangled. That man was Thomas Reynolds. As the lawmen hastened to grab him, Wagoner escaped.

Reynolds, dressed in a suit of old clothes, a rumpled derby hat, and worn out shoes, quickly took alarm at the sight of a rapidly forming mob. "He tremblingly implored the guards to shoot him in case the crowd made a demonstration to lynch him. As soon as he got to the jail, however, he attempted to brace up and seemed to have more courage." In response to a question about the murder, Reynolds shrugged and said that they were all in on it, adding, "It was the worst piece of killing I ever saw." He then asked a guard to go out and get him a box of cigarettes.

In a talkative mood, Reynolds volunteered that his four days of freedom had been very unpleasant. As reported by the *Republican,* his first night out he fell over a precipice and nearly broke his neck. "He confirmed that Wagoner was the man who got away, and said that if they had been a little closer together when the officers found them, they would have made a good fight for their liberty." He said Wagoner had a gun.

After word of Reynolds' capture reached Canon City, a spontaneous demand for revenge pervaded the town. Seemingly out of nowhere, armed men materialized and moved to block every entrance into Canon City, particularly the bridges that spanned the Arkansas River. Fearing that hemp justice awaited Reynolds, Warden Hoyt ordered his men to bring him back by a circuitous route. Obeying orders, Deputy Warden Sargent and three guards attempted to make "a flying dash" to the south gate of the penitentiary.

REYNOLDS' guards, with whom he had become chummy, promised to do everything possible to prevent his lynching but were quickly overwhelmed as they drove a two-seated carriage across the First Street bridge. A mob estimated at 500 men rushed from the darkness and completely surrounded the vehicle. The horses, being simultaneously lashed from behind and grabbed from the front and sides, yet managed to struggle to within 200 yards of the prison's southeast corner. Officer Powell later stated, "I stood the crowd off as long as I could, but the effort was useless. They closed in gradually in a solid mass, and it would have been useless for me to shoot, although I had my gun leveled, and held the mob off for a time."

Within seconds, the mob dragged Reynolds from the buggy and swept him along like so much flotsam to the corner of First and Main streets. Shoved to the base of a telephone pole, Reynolds stood calmly while his executioners placed a noose around his neck and tossed the other end of the rope over a crossbeam. Perhaps a score of men pulled on the rope, yanking him unceremoniously off the ground without a word. The *Republican* reported, "It was immediately lowered back down and Reynolds was given a chance to make a statement." He only asked for a cigarette. The crowd ignored the request, save for a voice from the darkness that scorned, "You can smoke in hell." Declining the chance to make a last statement, Reynolds was again hoisted off the ground, never to return as a living man. It was nearly 11:00 P.M.

While he dangled at the end of the rope, someone in the crowd asked him if he would be good now. According to the *Republican,* "His only reply was to kick out one foot," as he slowly strangled to death. Later one of the men who accompanied Reynolds from Florence remarked on his nerve, impressed that he had "shown the white feather" only once, and that being when first apprehended.

The *Republican* reported that the mob had no sooner hoisted Reynolds to the top of the pole than "there was a silence for a few minutes, followed by a mighty groan, a groan that was a curious combination of horror, hatred and satisfied revenge." Reynolds was deliberately hanged across the street from the southeast corner of the prison, easily visible to a large portion of the inmates. The *Republican* surmised the execution was an "object lesson" to a state legislature that had overridden popular sentiment and banned the death penalty in Colorado.

Reynolds' body hung suspended until nearly 7:00 A.M. and, in the words of the Denver newspaper, "Gradually it grew rigid. The expression of sardonic contempt on the face of the dead became fixed and it lost its semblance of Humanity." Shortly afterwards, Warden Hoyt sent several guards to retrieve the corpse. They lowered the body to

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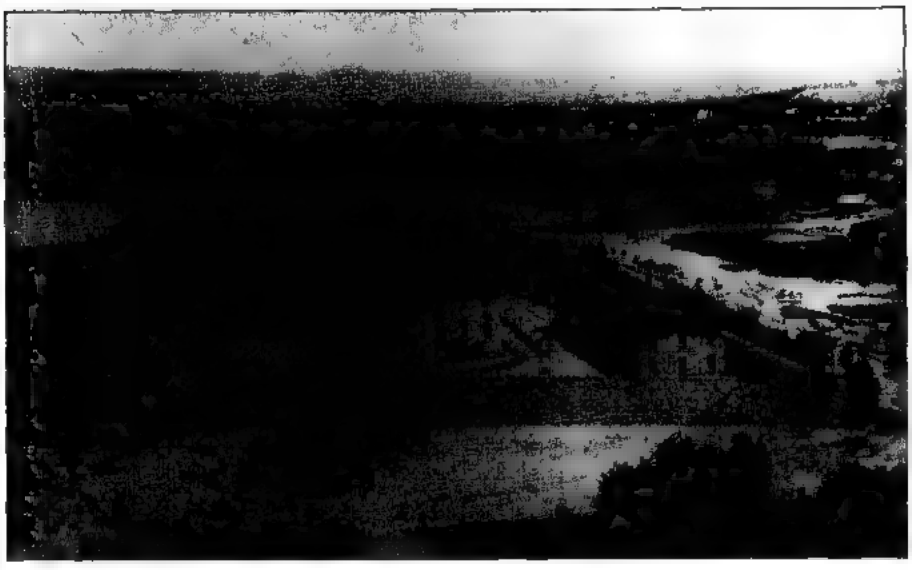
within several feet of the wagon bed and then released the rope. "The corpse fell into the wagon like a log."

The remains were taken to the prison, but no inquest was performed. Dr. W.T. Little, coroner for Fremont County, went to the penitentiary, viewed the body, and told the warden to bury it. Several hours later it was placed in a plain pine box, loaded onto a lumber wagon drawn by two mules, and transported to the convict cemetery, a mile away. No services were held.

With Reynolds disposed of, popular sentiment held that Wagoner's arrest was imminent. It was not. Although news dispatches hinted that posses were on his trail and his arrest could happen at any time, it soon became evident that he had gotten away. One rumor that found its way into print concerned the escapee and a southern Colorado outlaw named Hayes Robinson, who went by the moniker "Buffalo Bill." The *Republican* wrote that "those who know the young outlaw have believed ever since the escape of Wagoner...that the two were together and when Buffalo Bill and his gang were captured that the escaped convict would be found with them."

THE *ROCKY MOUNTAIN NEWS* printed a wild story about the exploits of an Indian Territory lawman who allegedly attempted to track down Wagoner. The lawman, T.M. O'Toole of "Pohuska, I.T.," scoffed at stories that had Wagoner frozen to death in the Rockies. Instead, he said that Wagoner had hooked up with "Buffalo Bill" Robbins, who had been entrusted with a horse provided by another friend of Wagoner.

O'Toole said he followed Robbins to Walsenburg, Colorado, on February 5. There he witnessed a meeting between Robbins and Wagoner, the latter being provided with a horse, saddle, six-shooter, Winchester, and money. Robbins supposedly told Wagoner, who had escaped previously from Canon City in September 1899 only to be recaptured the same day, "If they git you, I'll git a mob and hang you. This is the second time I helped you git away."



Colorado Historical Society

Canon City Penitentiary, Colorado, about 1885.

The lawman said he followed Wagoner in an attempt to get the drop on him, but the tables were quickly turned. In a long, involved tale, O'Toole claimed that four men captured him and made him ride blindfolded across country for several days. He ultimately found himself held captive in a cave. His captors told him that he would never get Wagoner.

Another far-fetched yarn surfaced five months after the escape. On the night of Reynolds' hanging, a group of Canon City power plant workers saw a man enter their building and go into the clothes changing room. He exited several minutes later. The workers assumed he was an employee and did not give it much thought. But several months later they remembered the incident, and the manager of the power plant decided to clean up the room.

Supposedly, in the darkest corner beneath a pile of rubbish, they uncovered a convict's suit. No sooner had prison chief clerk R.C. Reed seen the uniform than he exclaimed, "Why, those are Wagoner's!" According to this implausible scenario, reported by the *Rocky Mountain News*, Wagoner had made his way back to Canon City and "was an interested spectator of the lynching of Reynolds." But when all was said and done, C.E. Wagoner had vanished, never to be found.

Meanwhile, the Colorado authorities had yet to deal with their two live returnees—Wallace and Woode. Nearly a year would pass before their trial at Buena Vista for the murder of Captain Rooney. The prison guards' testimony indicated the two young men played largely passive roles in the killing.

On January 25, 1901, Frank "Kid" Wallace was convicted of murder in the second degree, and sentenced to not less than twenty-five years nor more than forty-five years in prison. The jury, however, asked the court to show mercy toward Wallace because, they believed, "The management of the institution at Canon City is in a large degree responsible for this participation in the crime." The term was to begin at the end of his original three-year sentence for train robbery.

As for Anton Woode, the boy murderer, the judge dismissed the charges against him, deciding that he had played no direct part in the murder. After being paroled in September 1905, Woode was pardoned in October 1906. He eventually left the state. Frank Wallace was pardoned in September 1907; his fate is unknown.

The prison breakout of January 1900 was not the first at Canon City, nor would it be the last. But with the murder of Captain Rooney, it remains one of the most tragic.

The Nez Percé Flight to Freedom

Chief Joseph and the Nez Perces: A Photographic History, by Bill and Jan Moeller. (Mountain Press Publishing Company, 1301 S. Third Street, PO Box 2399, Missoula, Montana 59806. $15.00 paper bound.)

The Nez Percé War of 1877 was one of the last collisions between westward expansion and Native Americans. This explosive confrontation and the ensuing four-month retreat of a small band of Nez Percés under Chief Joseph is graphically detailed in *Chief Joseph and the Nez Perces.* While the text is informative and lively, the outstanding color photographs illustrating the daily activities of Indians and soldiers make this work truly unique.

To grasp the full flavor and impact of history, readers must thrust themselves directly into the time, place, and frame of mind of the people who lived it. This volume attempts to accomplish that by depicting the exact locations, amazingly unchanged over the years, where Chief Joseph's warriors fought one of the greatest delaying actions of any Indian War.

General Oliver W. Howard, commander of the Department of the Columbia, lit the spark that ignited the conflict when he ordered the entire Nez Percé tribe to leave its ancient Wallowa Valley home in Oregon Territory and relocate onto an ever diminishing reservation in Idaho. While the more settled portion of the tribe agreed to removal, a younger and more militant faction expressed their dissatisfaction by killing sixteen settlers.

Even then Joseph attempted to negotiate a peace, but on June 17, 1877, the Second United States Cavalry fired on a group of Nez Percés and the incredible 127-day flight to freedom began. Traveling a circuitous 1,500 miles from the Salmon River in western Idaho to the distant Bear Paw Mountains in north-central Montana, Joseph and his band time and again outsmarted and outfought their dogged pursuers.

When Chief Joseph finally surrendered on October 5, 1877, to General Howard and Colonel Nelson Miles, he was assured the tribe would be taken to Fort Keogh for the winter and then be returned to the Northwest as soon as weather permitted. But Phil Sheridan ordered the Nez Percé shipped downriver to Fort Abraham Lincoln in Dakota Territory. A week later they were sent by train to Fort Leavenworth, Kansas, as prisoners of war.

It was a sorry finale to a tragic episode. The war had cost the United States government nearly a million dollars and the lives of 111 whites. Indian losses were proportionately greater. In addition to the 96 Nez Percés killed (36 of them women and children), they had lost everything they owned—lands, homes, horses, and all their possessions.

Eventually in 1885, 118 Nez Percés were allowed to board a train for their beloved Northwest, where most settled on the Colville reservation in Washington. But Chief Joseph never gave up hope that he and his people would return to the tribe's beloved Wallowa Valley. It was not to be —*Bill Garwood, Mechanicsburg, Pennsylvania.*

On Deadly Ground

Crossing the Deadly Ground: United States Army Tactics, 1865–1899, by Perry D. Jamieson. (University of Alabama Press, PO Box 870380, Tuscaloosa, Alabama 35487-0380. $29.95 cloth bound.)

The United States Army that went west to fight Indians after the Civil War was a mere shadow of the Union Army that had crushed the Confederacy. Congress had reduced the force from over two million men to, ultimately, 25,000 soldiers. Indeed, the entire army was in transition, grappling not only with hostile Indians but also with the effects of technology on warfare. During the Civil War, rifled projectiles and repeating arms had given defenders a distinct advantage, creating a killing field to their front of about 1,500 feet—the deadly ground—that attackers had to cross before they could carry any defensive work. During the latter-nineteenth century, American tacticians wrestled with how best to cross that ground.

Air Force historian Perry D. Jamieson ventured into the realm of tactics in 1982 when he coauthored with Grady McWhiney *Attack and Die: Civil War Military Tactics and Southern Heritage* (which blamed the Confederacy's ill-advised "offensive-defensive" on a belligerent Celtic heritage). Jamieson's broad topic here is tactics, but he does devote a section of *Crossing the Deadly Ground* to the Indian-fighting army.

Jamieson argues that Indian fighting commanders had no "manual" to help them. He writes, "Although the soldiers stationed in the West...had in their hands no formal doctrine authorized and published by the War Department...they recognized a body of theory, a collection of ideas about Indian-fighting strategy and tactics based on experience and common sense."

That body of theory included three major points. The first was the concept of winter warfare—attacking Indians when weather confined them to their villages and poor for-

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age weakened their horses. The Seventh Cavalry's 1868 attack on Cheyennes at the Washita River in Indian Territory was a prime example of that tactic.

The second tactic utilized columns converging from three or more points—the famous "three-pronged offensive"—to trap hostile Indians. That strategy relied greatly on Indian scouts to find enemy camps.

The third point validated something soldiers had started to learn during the Civil War—the importance of deploying advanced guards, flankers, and rear guards to protect units from surprise attack, which Jamieson calls "a specialty of native warriors." Jamieson notes that a related tactical theory called for "spreading out infantrymen or dismounted troops in loose order. The army did most of its Indian fighting on foot, and this formation allowed soldiers to take advantage of cover and required no fixed distances between them, only that each man remained in sight of his comrade to the left and right." Those tactics finally killed rigid linear formations, to which many commanders had clung during the Civil War. They hampered unit control, however, a problem not solved until the advent of field radios in World War I.

Finally, Jamieson says that the Civil War imbued Indian fighting commanders with an offensive ideology. Of men like Phil Sheridan, George Custer, George Crook, William T. Sherman, John Gibbon, Ranald Mackenzie, and Winfield Scott Hancock, Jamieson writes, "Their Civil War experience persuaded...[them] that the North had won by seizing the strategic offensive in May 1864...and relentlessly maintaining it to Appomattox." That commanders preferred the offensive should not surprise students of Custer, Mackenzie, and Crook, but Jamieson notes, "The Indian wars strengthened the army's confidence in the virtues of offensive strategy and tactics."

The Indian Wars, however, comprise only a small part of this book, which treats tactical development across the army. Readers interested only in the Indian-fighting army should pass it by; students of the United States Army in general will enjoy it.—*Steve Jones, Stillwater, Oklahoma.*

Forgotten Trails

In Search of the Spanish Trail, by C. Gregory Crampton and Steven K. Madsen. (Gibbs Smith, Box 667, Layton, Utah 84041. $24.95 paper bound.)

Until recently, the Spanish Trail—usually called the Old Spanish Trail—has been the least-known of the major routes in the Far West. The California-Oregon-Mormon, Lewis and Clark, Santa Fe, and even the Gila Trail have received far more attention. Only the prolific Leroy Hafen had a crack at it in 1954 with his *Old Spanish Trail*, and

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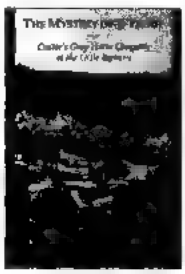

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he said little about the route's geography and topography.

Greg Crampton and his less-grizzled historian sidekick, Steven Madsen, have done the job beautifully here, retracing the trail with great care and describing it in a text that will satisfy both armchair travelers and high-energy history buffs who like to pile into a van or Explorer to follow the faint ruts of the westward movement of 150 years ago.

The Old Spanish Trail is neither old nor Spanish. It dates back only to 1829, when it was laid out by New Mexican Antonio Armijo and two Anglo mountain men, William Wolfskill of Los Angeles and George Yount, a pioneer of Napa Valley. It was probably given its misleading name by Anglo-Americans who mistakenly believed that Padres Escalante, Domínguez and Garcés had blazed the trail in the eighteenth century.

The trail runs northwest from Santa Fe past Georgia O'Keeffe's village of Abiquiu to Dolores, Colorado, near Mesa Verde, then reaches its northernmost point just west of the Green River. From there it pitches southwestward to the site of the Mountain Meadows massacre and modern Las Vegas, Nevada. The trail then skirts Death Valley to enter the Los Angeles Plain via Cajón Pass. The authors have broken the 1,120 miles into a dozen segments, each equipped with an excellent map by Tucson's late Donald Burkin. As with all of Don's cartography, the maps are both accurate and "user friendly."

The authors illuminated the text with over 200 photographs, some historical but mostly contemporary (by Madsen). Together with the fine maps, they make this oversize paperback a trail guide as well as a history. The compilers have chosen their pictures carefully so that close-ups of the trail's remains are balanced with varying scenes along the way—mountains, springs, cattle ranches, Indian ruins and petrogylphs, Joshua trees, and abandoned mines. The book's bibliography is both selective and first-rate. *Richard H. Dillon, Mill Valley, California.*

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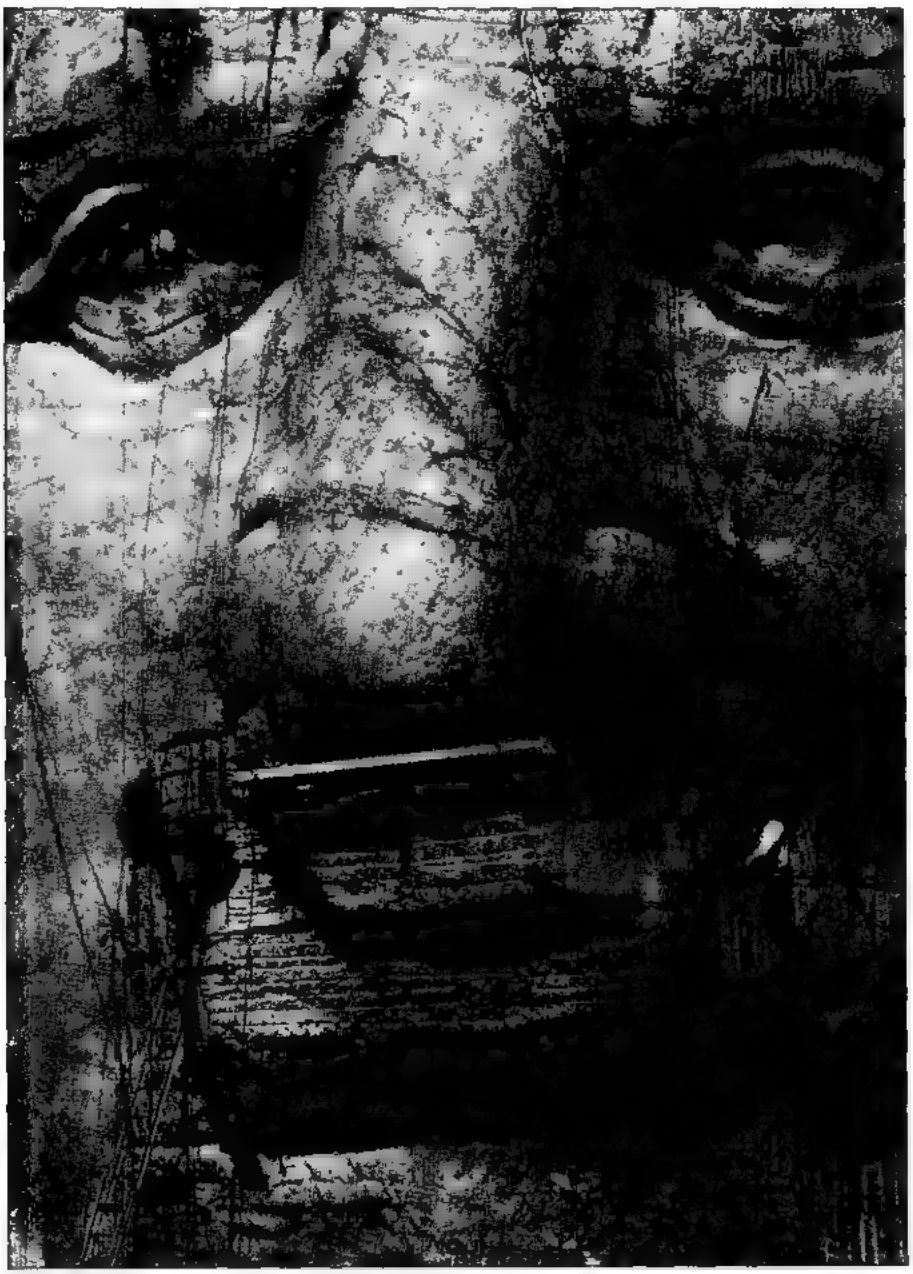

Photo courtesy of Robb DeWall

Work progressing on Crazy Horse's face during the winter of 1994–1995.

Raimondo L. Torelli, a *True West* reader hailing from Naples Italy, wants to know if the monumental Crazy Horse sculpture being carved from a Black Hills mountain (*True West*, February 1995) has been finished yet.

Years ago when I visited the Black Hills and saw the faces on Mount Rushmore I also visited the mountain and saw the chalked outline of what would someday be the gigantic statue of Crazy Horse. It is not yet completed.

The sculpture was started by Korczak Ziolkowski, born in Boston of Polish parents, who came to the Black Hills of South Dakota in 1947 when he was thirty-eight years old. Then he had a wife, less than $200 in cash, and a vision. He never had any training in art or sculpture, being completely self-taught.

He was soon divorced but remarried and, with his second wife, built a sixty-one-room combination home-studio-museum and visitor center where he planned his work. Ziolkowski pursued his vision until his death on October 20, 1982, at the age of seventy-four. He is buried in the tomb he and his sons created near the mountain. His self-composed epitaph reads, "Korczak—Storyteller in Stone/May His Remains Be Unknown."

Work had begun but was a long way from completion when he died,

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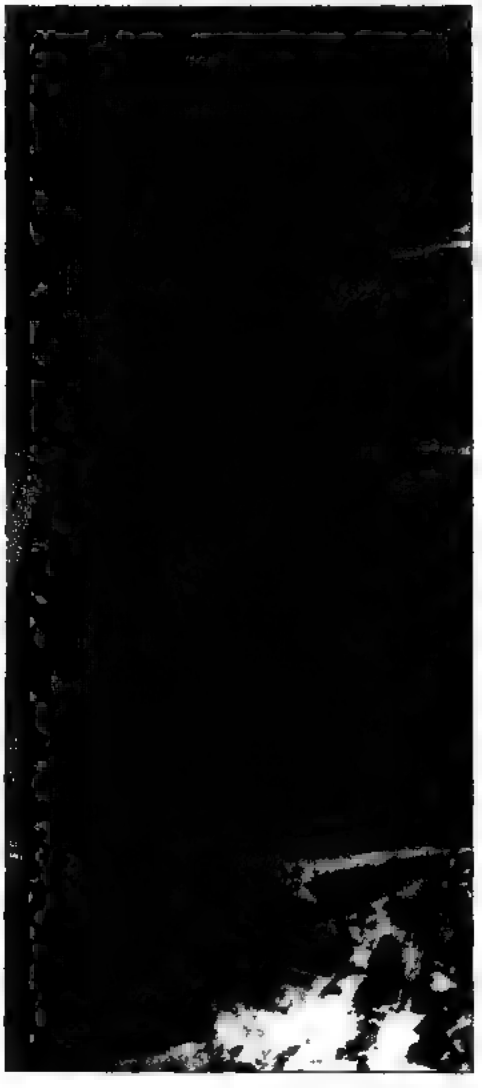

Photo courtesy of Robb DeWall

ing on the face during March 1995.

leaving a partially finished sculpture on a mountain, ten children, and a small fortune which he made by charging people $5.00 a carload to

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stand and see the work in progress up close.

The work is being completed by his wife and children based on the scale models and detailed plans Ziolkowski left for that purpose. As of early 1995 some eight and one-half million tons of rock had been blasted off the mountain. Workers now predict they will complete the face of Crazy Horse in 1998. At the same time, work continues on the arm and chest and the horse's mane. When will the largest sculpture in the world be completed? Sometime in the twenty-first century.

Doc Holliday, Fact and Fancy

Jerry Van Nada, of Tucson, Arizona, wants to know the facts on Doc Holliday. A devoted reader of *True West* for years, Jerry finds that many of the basic facts concerning this western legend's life seem to be in conflict. What do we know about Holliday's early life? What are some of the more reliable books written about him?

Holliday was not a native of Virginia, as at least one author has claimed, but was born in Griffin, Georgia, on August 14, 1851. The family moved to Valdosta, Georgia, during Doc's early years.

Holliday's father, Henry Burroughs Holliday, did not die in the Civil War but outlived his famous son by six years, dying on February 22, 1893. His mother, however, died early in his life, probably of tuberculosis, on September 16, 1866.

One of the best known early incidents involved a shooting scrape at a swimming hole in the Withlacoochee River. Some have written that Doc killed several young African Americans who had dared to swim in what Holliday considered his own swimming hole. Holliday may have fired a few shots above the heads of the reckless black youths, but he certainly did not kill or wound anyone as some authors have written. There is no record of his killing, or even wounding, anyone in the Withlacoochee River incident.

Holliday did not "flee" to Texas after the Withlacooche scrape but simply went to Atlanta, Georgia, where he set up shop to practice dentistry for a short period. There he most likely realized he had the same disease which killed his mother and left for the West, thinking he could live better in a dryer climate. By the early 1870s he had set up an office in Dallas, Texas. Soon after he left dentistry for the more profitable profession of frontier gambling. Ironically this lifestyle, which required working in smoke filled saloons, no doubt did more damage to Holliday than if he had remained in the Deep South.

As for biographies of Holliday, Ramon F. Adams, in his *Six-Guns and Saddle Leather*, notes that John Myers Myers' *Doc Holliday* (1955) was "the first, though not the best, book devoted exclusively to this cold-blooded killer." In 1957 came Pat Jahns' *The Frontier World of Doc Holliday*, which Adams described as the best "thus far," giving "much information."

Albert S. Pendlton, Jr., and Susan McKey Thomas published *In Search of the Hollidays* in 1972. It provided a considerable amount of new information and published for the first time a bust photo of Holliday at age twenty and a full length photo made in Arizona Territory around 1880.

In 1994 appeared Bob Boze Bell's *Illustrated Life and Times of Doc Holliday* and also a biography in German, *Doc Holliday Wahrheit und Legende*, by Jens Kiecksee. The latest work, appearing only recently but bearing a 1994 publication date, is Sylvia D. Lynch's *Aristocracy's Outlaw: The Doc Holliday Story*.

All contribute to our understanding of Doc Holliday's life. Bell's is most enjoyable as it presents his career in photos, drawings, and paintings, but little text. Any treatment of Holliday seems to devote more space to Wyatt Earp than necessary. The bottom line is that readers should study each of these works carefully and decide for themselves which seem more accurate. The definitive biography of Doc Holliday has yet to be written. A great deal of

primary source material remains untapped.

Bucket of Blood

Blanche Irene Brown of Sparks, Nevada, just plain comes out and asks me why I seem to know so little about Nevada. I'm not sure how to quantitatively measure the amount of knowledge I may have about a particular state; however, I have visited Sparks, Las Vegas, Virginia City, and Nevada's capital, Carson City.

Mrs. Brown points out that if I should visit Nevada I should be sure to see Virginia City, where I will find the Bucket of Blood Saloon (*True West*, April 1995) alive and well. In the April *True West* I was able to point out only one saloon so named. Thanks for the added knowledge, Mrs. Brown.

Part-Time Outlaw

Norman Lambert, writing from Nashville, Michigan, would like to know more about Jim Thornhill, who allegedly was a pal of Kid Curry and the Wild Bunch.

Thornhill was indeed a member of the Wild Bunch, although author Jim Browning refers to him only as a "sometime member" and certainly not in the same class of outlaw as Curry or Butch Cassidy or Elzy Lay.

Born in 1863 in Missouri, Thornhill ended up in Montana, where he and Kid Curry were partners. He was a witness to Curry's killing of Pike Landusky. Little else is known about him as an active outlaw.

He later moved to Globe, Arizona, where he became successful in the cattle business. He died in Globe on November 7, 1936, leaving a wife and three sons.

If you have a question, send it to Chuck Parsons, Western Publications, P.O. Box 2107, Stillwater, OK 74076. Please keep questions brief. Sign your full name and address, including zip code. Names will be published if question is used. Space limitations may not permit us to use all questions. Due to the volume of mail, we cannot forward correspondence to people whose questions appear in "Answer Man."

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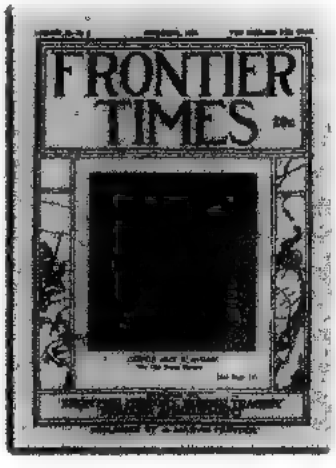

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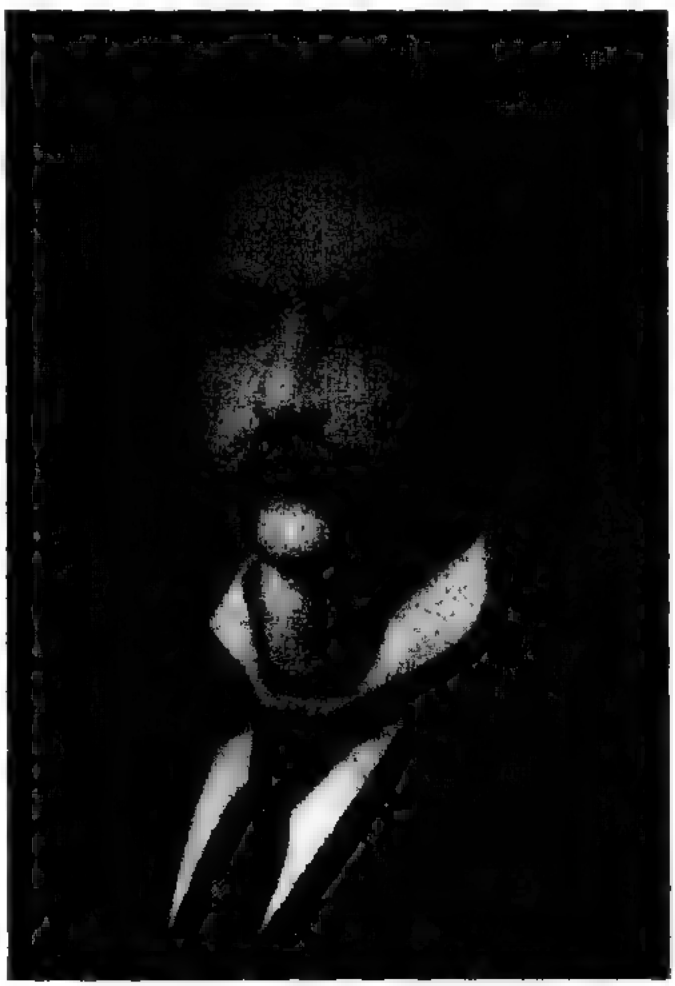
TERROR ON THE TEXAS PRAIRIE

By MARIETTA BARRON

Raiding Comanche Indians discouraged settlement of Texas' western frontier until an 1874 peace agreement guaranteed homesteaders a degree of safety. Although herds of buffalo and some Indian tribes still roamed the vast Staked Plains of west Texas, small groups of surveyors ventured into the frontier to ready the land for homesteaders. O. W. Williams was one of these surveyors. This is his exciting adventure.

Williams could have stayed in Illinois and had a comfortable life as a successful lawyer after obtaining his law degree at Harvard University. However, a more exciting life in the Southwest lured the twenty-four-year-old Williams to Texas in 1877.

When he arrived in Dallas, it had become a prosperous farming community supplying cotton that the war-torn states of the south could no longer produce. Its population had grown from 403 in 1855 to 7000 in 1877, with 15,000 in the county. But Williams was discouraged to learn the town had more than enough lawyers, and he could not get a license to practice law until he lived in Texas a year. Williams would have had to return to Illinois, had not a job as a surveyor become available. Because he also had expertise as a civil engineer, he would be able to earn a living and live a life of adventure.



Courtesy Fort Stockton, Texas, Historical Society

O.W. Williams in 1879, just two years after he faced a stampeding buffalo herd.

The Staked Plains needed to be surveyed because the state of Texas had given land to the railroad companies to encourage building and settlements. The railroads got sixteen sections of land for every mile of trackage. Before they could sell the land to homesteaders, it had to be surveyed and registered in the general land office.

The railroads found themselves with more land than they could handle, and sold some of the certificates to private companies for from forty to fifty dollars a section. After the land was surveyed, those companies in turn sold it for from one hundred sixty to two hundred dollars a section, making lucrative profits. One such company hired O.W. Williams, whose diary and letters recount his adventures.

In May a tenderfoot survey party of ten left Dallas for their job of three months. They could carry only a minimum of equipment and slept on the ground at each camp site. They knew of the hostile Indians but were assured

that a buffalo stampede was not a threat. Most of the buffalo had been killed. The few that were left would provide fresh meat, and the remains could be salted and preserved.

On a hot morning in July, the surveyors sighted and killed two buffalo where the city of Lubbock stands today. Because the animals always stayed in a herd, the men were reassured the large herds had been destroyed.

WHILE THE COOK and the rest of the crew butchered the buffalo, a survey party went out some distance from the camp. The group consisted of two chainmen, two flagmen, and Williams with his transit, as well as one gentle horse, "Wise to frontier dangers they later learned," Williams said in his diary.

As they ran a line down a creek, Williams wrote, "I was setting up my instrument, and the flagmen asked if I heard a peculiar rumble. I heard a throbbing sound of somewhat irregular cadence such as I had heard when I was twenty miles from Niagara Falls."

Towards the north along the horizon of that flat land a black cloud seemed to be coming towards them like a sudden storm—an unlikely phenomenon in the summer. The black line extended east and west as far as they could see. When it took on the appearance of moving black objects, everyone cried, "Buffalo stampede!"

Although the men wanted to run in every direction, they had been told how to best avoid being trampled. They quickly made the recommended preparations, bravely forming a single file to face the stampede. Williams stood at the front because he had a rifle. The transit was placed in the middle, and the last man in the file held a tight, short line on the horse.

Williams modestly said he was not necessarily the bravest of the group, for they all would have been mowed down with him. But they hoped that Williams could split the oncoming rush as he fired the gun. They didn't have long to wait for the onslaught.

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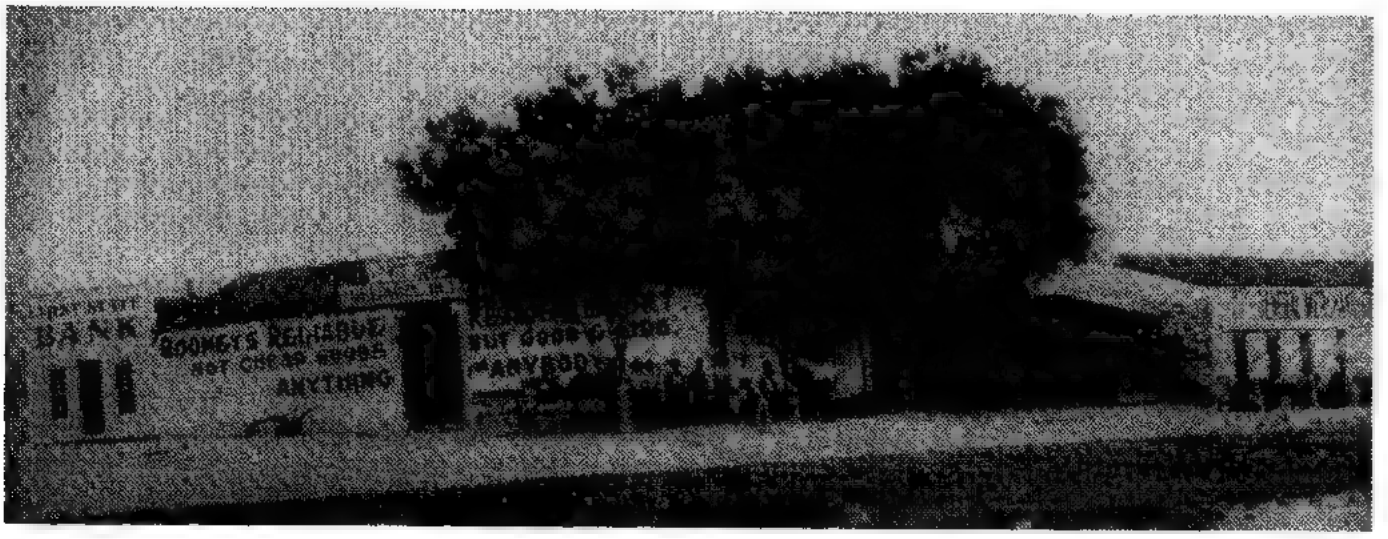


Courtesy Fort Stockton, Texas, Historical Society

Fort Stockton, Texas, as it appeared in 1900, shortly before Williams opened his law practice there.

"In a cloud of dust, beasts shoulder to shoulder thundered toward them," he wrote.

When they reached about one hundred yards, Williams began firing constantly, but the buffalo didn't seem to hear it. Their bushy black heads were looking back as they charged toward the men. Williams shot continuously into the air but feared his own brave little line would be trampled.

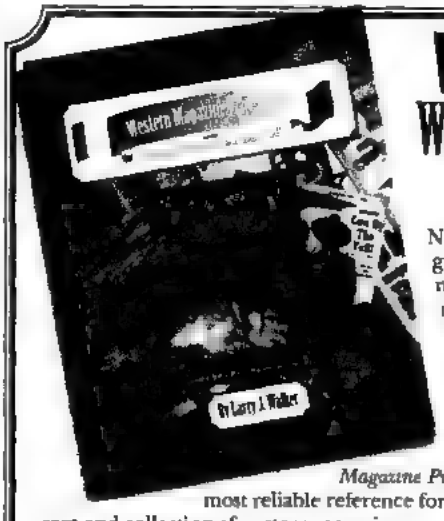
About twelve feet from them the animals pushed aside to form an opening ten or twelve feet wide. Williams said he felt he could touch them with his gun as they raced past.

"During the terrific uproar of the passing multitude," Williams wrote, "I had dimly made out sounds which might have come from the men or the horse behind me. When I turned I greatly feared to find that some calamity had befallen us. But beyond a horse that was trembling, a party of four men exceedingly dust laden, and full of oaths, there was nothing to show we had been in any danger."

When the survey party returned to camp, they were greatly relieved to learn the rest of the crew and the cook wagon had survived the same way.

Williams must have loved the Southwest because he spent the rest of his life there in a variety of occupations. The mines around Silver City, New Mexico, provided an interesting livelihood but no great wealth. Finally, at age fifty he chose the little village of Fort Stockton, Texas, to open a law practice. He became a judge, a cattle baron, and a much respected member of the community as it grew to a town and then a city in the crossroads of the West.

During his career, he had many narrow escapes from warring Indians. None of his adventures, however, could equal the terror and excitement of that buffalo stampede on the Texas prairie.



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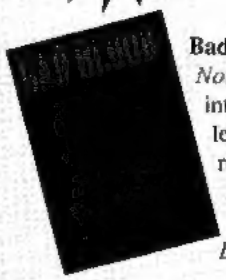

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